



**City of Columbia City Council
Study Session Agenda
August 1, 2024 - 5:30 PM**

**City Hall Council Chambers
700 North Garden Street
Columbia, TN 38401
Phone: 931-560-1510**

**Chaz Molder, Mayor
Randy McBroom, Vice Mayor
Council Member DaVena Hardison, Ward 1
Council Member Debbie Wiles, Ed. D., Ward 2
Council Member Anthony Greene, Ward 3
Council Member Kenny Marshall, Ward 4
Council Member Danny Coleman, Ward 5**

**Tony Massey, City Manager
C. Tim Tisher, City Attorney
Thad H. Jablonski, City Recorder
Liz Bermudez, Recording Secretary**

The City Council of the City of Columbia welcomes your presence and participation at this meeting. If you wish to address Council 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 Council votes on the item. Once recognized, you may then come to the podium and state your name and address. Anyone requesting accommodations due to disabilities should contact the ADA Coordinator, Wanda McClain, at 931-560-1570 prior to the meeting.

PUBLIC HEARINGS

1. PUBLIC HEARING ON ORDINANCE NO. 4511 - AN ORDINANCE AMENDING TITLE 18, CHAPTER 3, SECTION 18-303, OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA BY REPLACING IN ITS ENTIRETY PRESENT SCHEDULES A AND B AND ADOPTING AND APPROVING THE FOLLOWING SCHEDULES A AND B

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: Columbia Power and Water Systems (CPWS) has requested City Council to increase the water rate for large volume water customers. This recommendation is to encourage water conservation from large water customers. CPWS President and Chief Executive Officer Jonathan Hardin will be present to explain the request for the increase. The required notice of Public Hearing was advertised on July 14, 2024, in The Daily Herald.

ATTACHMENTS: Staff Report Ordinance No. 4511 PH, Ordinance No. 4511 (2), CPWS Resolution (1), CPWS Memo (1), CPWS Conservation Pricing for Residential Water Supply, CPWS Board Discussion Water Cost of Service Study.

2. PUBLIC HEARING ON ORDINANCE NO. 4512 - AN ORDINANCE TO AMEND TITLE 18, CHAPTER 3 OF THE COLUMBIA MUNICIPAL CODE BY AMENDING 18-310 TO INCREASE THE WATER IMPACT FEE UPON NEW WATER CUSTOMERS TO SERVE THE DEMAND FOR WATER SYSTEM CAPITAL FACILITIES AND PUBLIC IMPROVEMENTS

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: CPWS has requested the impact fee schedule be increased across the board over a 3-year period. CPWS President and Chief Executive Officer Jonathan Hardin will be present to explain the request. The required notice of Public Hearing was advertised on July 14, 2024, in The Daily Herald.

ATTACHMENTS: Staff Report Ordinance No. 4512 PH, Ordinance No. 4512 (2), CPWS Resolution impact fee amendment., CPWS Memo on Proposed Water Impact Fee

3. PUBLIC HEARING ON ORDINANCE NO. 4513 - AN ORDINANCE AMENDING ORDINANCE NO. 4176 BY REPEALING AND REPLACING THE ACCESS MANAGEMENT PLAN WITH A NEW ACCESS MANAGEMENT PLAN - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend Ordinance 4176, with changes concerning Access Management, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero. The required notice of Public Hearing was advertised on June 18, 2024 and again on July 24, 2024 in The Daily Herald.

ATTACHMENTS: Staff Report for Public Hearing on Ordinance No. 4513, Ordinance No. 4513 , Ordinance No. 4513 - Exhibit A, Staff Markup

4. PUBLIC HEARING ON ORDINANCE NO. 4514 - AN ORDINANCE TO AMEND THE COLUMBIA MUNICIPAL CODE BY DELETING TITLE 14, CHAPTER 4 PERTAINING TO STORMWATER MANAGEMENT REGULATIONS IN ITS ENTIRETY AND REPLACING SUCH SECTION WITH A NEW TITLE 14 CHAPTER 4 PERTAINING TO STORMWATER MANAGEMENT - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend the Stormwater Management Ordinance. The intent of this ordinance is to make the language of the Chapter consistent with the language in the State MS4 Permit and BMP Manuals. Planning Commission recommended approval at the June 5, 2024 meeting by a vote of five to zero. Public Hearing notice was advertised on July 24, 2024 in The Daily Herald.

ATTACHMENTS: Staff Report for Ordinance No. 4514, Ordinance No. 4514, Ordinance No. 4514 Exhibit A

- 5. PUBLIC HEARING ON ORDINANCE NO. 4515 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING ADMINISTRATION, PROCEDURE, & ENFORCEMENT IN ARTICLE 8 BY REPEALING AND REPLACING SUCH ARTICLE 8 WITH A NEW ARTICLE 8 ADMINISTRATION, PROCEDURE, & ENFORCEMENT - DEVELOPMENT SERVICES DEPARTMENT.**

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 8: Administration, Procedure, & Enforcement, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero. The required notice of Public Hearing was advertised July 24, 2024 in *The Daily Herald*.

ATTACHMENTS: Staff Report for Public Hearing on Ordinance No. 4515, Ordinance No. 4515, Ordinance No. 4515 Exhibit A, Ordinance 4515 Marked Changes, Ordinance No. 4515 DS Staff Report

- 6. PUBLIC HEARING ON ORDINANCE NO. 4516 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING BUILDING, LOT AND BUILDING SITE STANDARDS IN ARTICLE 4 BY REPEALING SUCH ARTICLE AND REPLACING SUCH ARTICLE 4 WITH A NEW ARTICLE 4 BUILDING, LOT AND BUILDING SITE STANDARDS - DEVELOPMENT SERVICES DEPARTMENT.**

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 4: Building, Lot, and Building Site Standards, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was

recommended by a vote of five to zero. The required notice of Public Hearing was advertised July 24, 2024 in *The Daily Herald*.

ATTACHMENTS: Staff Report for Public Hearing on Ordinance No. 4516, Ordinance No. 4516, Ordinance No. 4516 Exhibit A, Ordinance No 4516 Exhibit B, Ordinance No. 4516 Marked Changes A, Ordinance No. 4516 Marked Changes B, Ordinance No. 4516 DS Staff Report

7. PUBLIC HEARING ON ORDINANCE NO. 4517 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING DEVELOPMENT PARCEL STANDARDS IN ARTICLE 5 BY REPEALING SUCH ARTICLE AND REPLACING IT WITH A NEW ARTICLE 5, DEVELOPMENT PARCEL STANDARDS - CITYWIDE - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 5: Development Parcel Standards, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero. The required notice of Public Hearing was advertised on July 24, 2024 in *The Daily Herald*.

ATTACHMENTS: Staff Report for Public Hearing on Ordinance No. 4517, Ordinance No. 4517, Ordinance No. 4517 Exhibit A, Ordinance 4517 Marked Changes A, Ordinance No. 4517 DS Staff Report

8. PUBLIC HEARING ON ORDINANCE NO. 4518 - AN ORDINANCE AMENDING DEVELOPMENT SERVICES PLANNING FEE SCHEDULE FOR THE CITY OF COLUMBIA, TENNESSEE - CITYWIDE - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend the Planning Fee schedule as attached. Approval was recommended by the Planning Commission at the June 5, 2024 meeting by a vote of five to zero. The required

notice of Public Hearing was advertised July 24, 2024 in *The Daily Herald*.

ATTACHMENTS: Staff Report for Public Hearing on Ordinance No. 4518, Ordinance No. 4518 , Ordinance No. 4518 Exhibit A, Ordinance No. 4518 Current Fee Schedule

9. PUBLIC HEARING ON ORDINANCE NO. 4519 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING SUPPLEMENTAL STANDARDS IN ARTICLE 6 BY REPEALING SUCH ARTICLE AND REPLACING SUCH ARTICLE 6 WITH A NEW ARTICLE 6, SUPPLEMENTAL STANDARDS - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 6: Supplemental Standards, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero. The required notice of Public Hearing was advertised on July 24, 2024 in The Daily Herald.

ATTACHMENTS: Staff Report for Public Hearing on Ordinance No. 4519, Ordinance No. 4519, Ordinance No. 4519 Exhibit A, Ordinance 4519 Marked Changes A, Ordinance No. 4519 DS Staff Report

10. PUBLIC HEARING ON ORDINANCE NO. 4520 - AN ORDINANCE TO AMEND THE COLUMBIA MUNICIPAL CODE BY REPEALING AND REPLACING TITLE 14, CHAPTER 5 PERTAINING TO ENGINEERING STANDARDS AND SPECIFICATIONS - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Engineering Standards and Specifications is requested to be updated by Development Services Department to coordinate with the changes of the Zoning Ordinance. Planning Commission recommended approval of the proposal at the June 5,

2024 meeting by a vote of five to zero. The required notice of Public Hearing was advertised July 24, 2024 in The Daily Herald.

ATTACHMENTS: Staff Report for Public Hearing on Ordinance No. 4520, Ordinance No. 4520, Ordinance No. 4520 Exhibit A, Ordinance No. 4520 Thoroughfares Illustrations, Ordinance No. 4520 Staff Markup

11. PUBLIC HEARING ON ORDINANCE NO. 4521 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING ZONING MAP IN ARTICLE 2 BY REPEALING SUCH ARTICLE AND REPLACING SUCH ARTICLE 2 WITH A NEW ARTICLE 2, ZONING MAP - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 2: Zoning Map, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero. The required notice of Public Hearing was advertised on July 24, 2024 in The Daily Herald.

ATTACHMENTS: Staff Report for Public Hearing on Ordinance No. 4521, Ordinance No. 4521, Ordinance No. 4521 Exhibit A, Ordinance 4521 Marked Changes A

12. PUBLIC HEARING ON ORDINANCE NO. 4522 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING DEFINITIONS IN ARTICLE 9 BY REPEALING SUCH ARTICLE AND REPLACING SUCH ARTICLE 9 WITH A NEW ARTICLE 9, DEFINITIONS - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 9: Definitions, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero. The required notice of Public Hearing was advertised on July 24, 2024 in The Daily Herald.

ATTACHMENTS: Staff Report for Public Hearing on Ordinance No. 4522, Ordinance No. 4522, Ordinance No. 4522 Exhibit A, Ordinance No. 4522 Marked Changes

1 CALL TO ORDER/ROLL CALL.

2 INVOCATION BY STEPHEN SAULS OF FIRST UNITED METHODIST CHURCH.

3 PLEDGE OF ALLEGIANCE.

4 APPROVAL OF AGENDA.

5 PRESENTATIONS.

5.1. PRESENTATION ON COLUMBIA 101 (STUDY SESSION ONLY)

6 ORGANIZATIONAL BUSINESS.

6.1. APPROVE THE MINUTES OF THE JULY 11, 2024 CITY COUNCIL MEETING - ADMINISTRATION.

RECOMMENDATION: Approve.

ATTACHMENTS: July 11, 2024 Minutes

6.2. APPROVE THE APPOINTMENT OF HARVEY CHURCH TO THE CITY OF COLUMBIA ARTS COUNCIL TO FILL AN UNEXPIRED TERM ENDING ON JANUARY 14, 2025

RECOMMENDATION: Approve.

6.3. APPROVE THE APPOINTMENT OF TORI ZEMER DEGRELLA TO THE CITY OF COLUMBIA ARTS COUNCIL TO FILL AN UNEXPIRED TERM ENDING ON JANUARY 9, 2025

RECOMMENDATION: Approve.

7 CONSENT AGENDA

7.1. APPROVE DISBURSEMENTS FOR THE MONTH OF JUNE 2024 IN THE AMOUNT OF \$4,659,295 - FINANCE.

RECOMMENDATION: Approve.

ATTACHMENTS: June 2024 Disbursements

7.2. APPROVE A BID AWARD AND AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH COLUMBIA OIL CO. INC. FOR FLEET REFUELING AND BULK DIESEL DELIVERY - FINANCE.

RECOMMENDATION: Approve.

INFORMATION: An invitation to bid to supply gasoline through vendor operated stations and to supply bulk diesel to City owned facilities was opened on July 30, 2024. Since the City lacks any storage facilities for gasoline purchases, it requires that we depend upon a vendor supplied solutions for storage and dispensing gasoline. Diesel on the other hand is purchased in bulk and stored in a 12,000 gallon tank located at the Public Works facility, as well as a couple of smaller tanks located at Ridley Park and our Wastewater Facility.

We received two bids for bulk diesel and gasoline. Columbia Oil was the lowest bid for both aspects of the invitation. Diesel will be priced at \$.08 over the DTN rack price at the date of delivery and gasoline will be dispensed through Columbia Oil's facility at \$.10 over the OPS cost.

The agreement if approved will be for a one-year period and renewable for two additional one-year terms at the discretion of the City.

CERTIFICATION: The Chief Financial Officer certifies that funds are budgeted and unencumbered across multiple city department budgets.

ATTACHMENTS: Staff Report - Columbia Oil 2024, Agreement - Gasoline Fleet Refueling - Columbia Oil - 2024

7.3. APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH AS THE CITY DEPOSITORY - FINANCE.

RECOMMENDATION:

INFORMATION: The City accepts proposals every three years to serve as primary depository for City funds and various banking services needed by the City. As a result of the most recent request for proposals there were submissions from...

CERTIFICATION: The Chief Financial Officer certifies that no budgeted funds are required for this agreement.

ATTACHMENTS:

7.4. APPROVE THE BID AWARD AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT WITH TN PROPERTY MANAGEMENT FOR THE MOWING SERVICES ALONG THE NORTH GATEWAY MEDIAN AREAS LOCATED ON NASHVILLE HWY - FINANCE.

RECOMMENDATION: Approve.

INFORMATION: Bids were solicited for the mowing of the North Gateway Median Areas located on Nashville Hwy for the 2024 seasons. Bidders were given the option to offer bids for the 2025 and 2026 mowing seasons as well. We had six bidders respond. Due to the low bidder not returning all of the required information, the decision was made to go with the second lowest bidder, TN Property Management. A recommendation is made that an award be made based upon the per mowing fee of \$1,200 for the 2024 mowing season and permit the extension of the award for two consecutive annual mowing seasons at the option of the City for \$1,250 for 2025 and \$1,300 for 2026.

CERTIFICATION: The Chief Financial Officer certifies that \$10,000 is budgeted and unencumbered in State Street Aid-Other.

ATTACHMENTS: Staff Report - TN Property Management Nashville Hwy, TN Property Management Nash Hwy Contract

7.5. APPROVE ANNUAL RENEWAL OF PROPERTY INSURANCE WITH THE TML PUBLIC ENTITY PARTNERS IN THE AMOUNT OF \$244,369 - FINANCE.

RECOMMENDATION: Approve renewal of City property insurance and authorize payment to Public Entity Partners in the amount of \$244,369

INFORMATION: The City of Columbia obtains property insurance coverage through the Tennessee Municipal League's Public Entity Partners (PEP). The policy renewal for property (buildings and contents, computer equipment and mobile equipment) is July 1 of each year. An invoice for property insurance premium renewal has been received from PEP and is due for payment.

The annual premium was \$197,344 for FY 2024, \$161,591 for FY 2023, \$152,098 for FY 2022, and \$128,929 for FY 2021.

The invoice received for FY 2025 totals \$244,369. The value of city assets covered under the proposed policy increased in 2025. The increased valuation is in line with other entities that insure municipal/county governments. The city's property additions to the policy during FY 2024 and FY 2025 exceeded deletions/reductions.

The PEP Board voted not to approve a member dividend credit for FY 2025 (the same as nom increase for FY 2024).

A breakdown of cost by fund is as follows:

General Fund	71,037
Sanitation Fund	2,151
Wastewater Fund	171,181
Total	\$ 244,369

CERTIFICATION: The Chief Financial Officer certifies that funds are budgeted and unencumbered within the General, Sanitation and Wastewater funds in the amounts of \$71,037, \$2,151 and \$171,181, respectively, for the payment of property insurance renewal premium.

ATTACHMENTS: Staff Report - Property Insurance Renewal FY 2025, PEP Property Insurance Invoice

7.6. APPROVE PAYMENT TO MAURY COUNTY TO PROVIDE FUNDING FOR THE MAURY COUNTY/CITY OF COLUMBIA ANIMAL SERVICES FACILITY FOR THE FOURTH QUARTER OF FY 2024 \$50,000 - FINANCE.

RECOMMENDATION: Approve.

INFORMATION: On April 14, 2016, the City Council approved an extension of the 2008 agreement with Maury County for operation of the Animal Services Facility. The 2008 agreement and extension specified that the City and County will split operating expenses (over and above revenue derived from the operation of the facility) 50/50.

The 2016 contract extension terminated on October 2, 2018. The City's FY 2024 budget includes \$200,000 for the City's contribution towards facility operations, or \$50,000 per quarter. An invoice has been received for the fourth quarter of FY 2024, which exceeds \$50,000. The invoice and supporting documentation have been reviewed by Finance.

As the operating agreement has expired, City Council approval is necessary prior to any payment towards shelter operation costs.

CERTIFICATION: The Chief Financial Officer certifies that \$50,000 is budgeted and unencumbered in General Government-Animal Control.

ATTACHMENTS: Staff Report - Animal Services, Animal Shelter Q4 Invoice

7.7 APPROVE ANNUAL RENEWAL OF WORKERS' COMPENSATION INSURANCE WITH THE TML PUBLIC ENTITY PARTNERS IN THE AMOUNT OF \$113,761 - FINANCE.

RECOMMENDATION: Approval of renewal of workers' compensation insurance and payment of related invoice.

INFORMATION: The City of Columbia obtains Workers' Compensation insurance coverage through Tennessee Municipal League's Public Entity Partners (PEP), and the policy renewal is July 1 of each year. An invoice for Workers' Compensation insurance premium renewal has been received from PEP and is due for payment. A breakdown of the annual premium as compared to the previous four (4) years follows:

Fiscal Year	Retention		Total		
	Limit	General	Sanitation	Wastewater	Premium
2021	\$500,000	\$90,935	\$9,466	\$5,931	\$106,332
2022	\$500,000	\$89,455	\$9,584	\$6,266	\$105,305
2023	\$500,000	\$79,354	\$8,507	\$5,999	\$93,860
2024	\$500,000	\$116,221	\$10,645	\$8,140	\$135,006
2025	\$500,000	\$95,496	\$9,583	\$8,682	\$113,761

Rates increased from the prior year due to increased claims across the PEP pool, which is responsible for the increased premium amount. No member dividend credit was issued for FY 2025.

PEP administers payment of claims, which is coordinated with the City's HR Department.

The City Council is requested to approve the renewal of City workers' compensation insurance and to authorize payment to PEP in the

amount of \$113,761.

CERTIFICATION: The Chief Financial Officer certifies that funds are budgeted and unencumbered within the General, Sanitation and Wastewater funds to pay workers' compensation insurance premiums in the amounts of \$95,496, \$9,583 and \$8,682, respectively.

ATTACHMENTS: Staff Report - Worker's Comp Insurance Renewal FY 2025, PEP Property Insurance Invoice

7.8. RATIFY APPROVAL OF AN AGREEMENT WITH VIDCRUITER, LLC IN THE AMOUNT OF \$3,500 - CITY MANAGER'S OFFICE.

RECOMMENDATION: Approve.

INFORMATION: The City of Columbia is preparing to hire a new City Attorney. VidCruiter's video interview software will enable the City to cast a wide net in its search for the ideal candidate to fill this crucial position. This program also allows city leadership to participate in the interview process without the usual scheduling challenges that arise when interviewing multiple candidates.

CERTIFICATION: The Chief Financial Officer certifies that \$3,500 is budgeted and unencumbered in General Government-Miscellaneous - Software.

ATTACHMENTS: Staff Report - Vidcruiter, Vidcruiter

7.9. APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT BETWEEN THE CITY OF COLUMBIA AND JOURNAL COMMUNICATIONS FOR ADVERTISING IN THE 2025 OFFICIAL NASHVILLE VACATION GUIDE IN THE AMOUNT OF \$10,149 - CITY MANAGER'S OFFICE.

RECOMMENDATION: Approve

INFORMATION: The City of Columbia will purchase a two-thirds page ad in the annual Nashville Vacation Guide, a bi-annual visitor resource guide in print and online, to advertise Columbia to Nashville visitors, in the amount of \$10,149.

CERTIFICATION: The Chief Financial Officer certifies that \$10,149 is budgeted and unencumbered in Tourism Enhancement-General Fund - Professional Services.

ATTACHMENTS: Staff Report Journal NASH, NASH Visitor Guide 2025 Journal Comm

7.10. APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT BETWEEN THE CITY OF COLUMBIA AND ANAS SABA IN THE AMOUNT OF \$4,000 FOR A FALL 2024 SOCIAL MEDIA INFLUENCER MARKETING CAMPAIGN - CITY MANAGER'S OFFICE.

RECOMMENDATION: Approve.

INFORMATION: Visit Columbia plans to work more with social media influencers as part of the marketing strategy designed to reach travelers through Instagram, the Visit Columbia website, and blog posts to encourage and inspire travel to Columbia while building brand awareness.

CERTIFICATION: The Chief Financial Officer certifies that \$4,000 is budgeted and unencumbered in Tourism Enhancement-General Fund - Professional Services.

ATTACHMENTS: Staff Report Influencer , Saba Contract July2024

7.11. APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT BETWEEN THE CITY OF COLUMBIA AND STYLEBLUEPRINT FOR A HOLIDAY DIGITAL MARKETING CAMPAIGN IN THE AMOUNT OF \$3,250 - CITY MANAGER'S OFFICE.

RECOMMENDATION: Approve.

INFORMATION: StyleBlueprint Holiday 2024 Travel Co-op digital marketing package: 'Best Towns for the Holidays 2024' includes co-sponsored article, boosted campaign, and co-op Instagram post.

CERTIFICATION: The Chief Financial Officer certifies that \$3,250 is budgeted and unencumbered in Tourism Enhancement-General Fund - Professional Services.

ATTACHMENTS: Staff Report StyleBlueprint, StyleBlueprint IO #P7683 Holiday Co-op 2024

7.12. APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT BETWEEN THE CITY OF COLUMBIA AND LAMAR ADVERTISING IN THE AMOUNT OF \$12,000 FOR ROTARY DIGITAL BILLBOARD ADVERTISING IN THE NASHVILLE/MIDDLE TN AREA - CITY MANAGER'S OFFICE.

RECOMMENDATION: Approve.

INFORMATION: Visit Columbia will utilize Lamar's digital rotary program to place advertising on a variety of billboards designed to reach thousands of travelers daily along interstates and surface streets of the Nashville/Middle TN area, encouraging and inspiring travel to Columbia while building brand awareness.

CERTIFICATION: The Chief Financial Officer certifies that \$12,000 is budgeted and unencumbered in Tourism Enhancement-General Fund - Professional Services.

ATTACHMENTS: Staff Report Lamar Billboard, Lamar Billboard Contract FY25

7.13. APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT BETWEEN THE CITY OF COLUMBIA AND TRAILHEAD MEDIA IN THE AMOUNT OF \$9,750 FOR ONE YEAR OF DIGITAL BILLBOARD ADVERTISING ON NORTHBOUND INTERSTATE 65 - CITY MANAGER'S OFFICE.

RECOMMENDATION: Approve.

INFORMATION: Digital billboards are just one tactic of the Visit Columbia marketing strategy designed to reach thousands of travelers daily along interstates and surface streets of the

Nashville/Middle TN area, encouraging and inspiring travel to Columbia while building brand awareness.

CERTIFICATION: The Chief Financial Officer certifies that \$9,750 is budgeted and unencumbered in Tourism Enhancement-General Fund - Professional Services.

ATTACHMENTS: Staff Report Trailhead Billboard, Trailhead Media Contract FY25

7.14. APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT BETWEEN THE CITY OF COLUMBIA AND JOURNAL COMMUNICATIONS FOR ADVERTISING IN THE 2025 TENNESSEE VACATION GUIDE IN THE AMOUNT OF \$8,000 - CITY MANAGER'S OFFICE.

RECOMMENDATION: Approve.

INFORMATION: The City of Columbia will purchase a third page ad in the 2025 Tennessee Vacation Guide in the amount of \$8,000. This popular annual visitor resource guide is available in an online digital version and over half a million copies in print.

CERTIFICATION: The Chief Financial Officer certifies that \$8,000 is budgeted and unencumbered in Tourism Enhancement-General Fund - Professional Services.

ATTACHMENTS: Staff Report Journal TN Vaca, Journal Contract - TN Vaca

7.15. APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE NON-EXCLUSIVE USE AND OCCUPANCY PERMIT BETWEEN THE CITY OF COLUMBIA AND COLUMBIA YOUTH ATHLETIC ASSOCIATION FOR THEIR 2024 FOOTBALL SEASON - WARDS 4 AND 5 - PARKS & RECREATION DEPARTMENT.

RECOMMENDATION: Approve.

INFORMATION: Columbia Youth Athletic Association is requesting the renewal of their Non-Exclusive Use and Occupancy Permit with the City of Columbia to utilize the Eva Gilbert Park's football and

softball fields for their upcoming 2024 season.

Columbia Youth Athletic Association offers registration discounts to eligible participants based on the Maury County School System guidelines for those who qualify for free and reduced lunches.

ATTACHMENTS: Columbia Youth Athletic Association Staff Report - 2024, Columbia Youth Athletic Association Non-Exclusive Use and Occupancy Permit 2024, Columbia Youth Athletic Association insurance 2024

7.16. APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE AMENDED NON-EXCLUSIVE USE AND OCCUPANCY PERMIT BETWEEN THE CITY OF COLUMBIA AND THE COLUMBIA SOCCER ASSOCIATION - WARDS 1 AND 4 - PARKS & RECREATION DEPARTMENT.

RECOMMENDATION: Approve.

INFORMATION: This year's renewal was approved by Council at the February 2024 Council meeting. After the approval, the president of the Columbia Soccer Association requested the renewal of their annual Non-Exclusive Use and Occupancy Permit be amended to update the newly elected President of the association, the association's address and phone number in the agreement. The Columbia Soccer Association utilizes Cook Soccer Park and the Ridley Sports Complex soccer fields for the 2024 season. As in past years, in lieu of paying user fees, Columbia Soccer Association agrees to absorb expenditures to provide all turf management required to maintain the immediate playing surfaces at Cook Soccer Park; mowing, trimming, fertilization, weeding and marking fields for play. The Association will also assist with the litter pickup and janitorial upkeep as required for the restrooms and park areas near the fields. The City will maintain the park features up to the perimeter of each playing field.

ATTACHMENTS: Columbia Soccer Association Non-Exclusive Use and Occupancy Permit Staff Report, Columbia Soccer Association Non-Exclusive Use and Occupancy Permit w-insurance

7.17. APPROVE THE PURCHASE OF A 3500 DODGE CREW CC 4X4 - DUMP TRUCK FROM CHRYSLER DODGE JEEP RAM FIAT OF

COLUMBIA IN THE AMOUNT OF \$82,555.25 UTILIZING STATE WIDE CONTRACT 209 - PARKS & RECREATION DEPARTMENT.

RECOMMENDATION: Approve.

INFORMATION: The City of Columbia Parks & Recreation Department wants to purchase a 3500 Dodge Crew cc 4x4 – Dump Truck for \$82,555.43 for the use in the maintenance division of the Parks Department for transporting landscaping materials. With the degree of maneuverability, it will enhance the working capability of the department for operating around the parks with downed trees, spreading dumping materials for trails/driveways, hauling heavy equipment and any demoed debris that can be easily dumped with the push of a button hydraulic lift bed. This will be purchased through the SWC-209 program.

CERTIFICATION: The Chief Financial Officer certifies that \$82,556 is budgeted and unencumbered in Capital Projects-Recreation-Maintenance - Transportation Equipment.

ATTACHMENTS: Staff report for Parks Maintenance dump truck purchase, Chrysler Dodge Jeep RAM Fiat of Columbia quote for 3500 Dodge Crew CC 4x4 Dump Truck quote/SWC 209

7.18. APPROVE MAURY COUNTY SOLID WASTE PRICE INCREASE FROM \$50.79 TO \$52.36 PER TON FOR DISPOSAL OF RESIDENTIAL TRASH WITH AN ESTIMATED FY 24/25 COST OF \$1,284,547 - PUBLIC WORKS DEPARTMENT.

RECOMMENDATION: Approve Maury County Solid Waste price increase.

INFORMATION: The City of Columbia Public Works Department utilizes Maury County Solid Waste for disposal of residential trash. Due to an increase in the Consumer Price Index (CPI), the price for disposal of residential trash will increase from \$50.79 to \$52.36 per ton. The tonnage for residential trash removal during (FY) fiscal year July 2023–June 2024 totaled 24,533 tons. Using this tonnage, the estimated cost for FY 24/25 residential trash removal will be \$1,284,547.

CERTIFICATION: The Chief Financial Officer certifies that \$1,284,547 is budgeted and unencumbered in Sanitation-General - Landfill Costs.

ATTACHMENTS: Staff Report MCSW, MCSW email, Waste Management rate increase letter, CPI

7.19. APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT AMENDMENT BETWEEN CITY OF COLUMBIA AND LOSE & ASSOCIATES IN THE AMOUNT OF \$3,200 - PUBLIC WORKS DEPARTMENT.

RECOMMENDATION: Approve and authorize the Mayor to sign a Contract Amendment No. 3 between the City of Columbia and Lose & Associates for the Columbia Public Works building expansion.

INFORMATION: This contract amendment is for the Public Works Expansion design services. Contract Amendment No. 3 will include design and engineering services, as well as the construction administration review requirements necessary to install mechanical and plumbing systems required for the new construction. This design will include an exhaust fan, duct work, louvers and a domestic water line with a back flow preventer as required to service the building.

CERTIFICATION: The Chief Financial Officer certifies that \$3,200 will be proposed to be budgeted and unencumbered via Appropriation Amendment No. 1 in Capital Projects-Streets - Professional Services.

ATTACHMENTS: Staff Report - Lose, Lose Contract Amendment No. 3

7.20. APPROVE UPGRADE OF TRAFFIC DETECTION TO RADAR DETECTION USING WAVETRONIX AS A SOLE SOURCE PROVIDER IN THE AMOUNT OF \$124,180 - PUBLIC WORKS DEPARTMENT.

RECOMMENDATION: Approve upgrade of traffic detection to radar detection at (4) four major intersections within the city limits of Columbia.

INFORMATION: Public Works is requesting an upgrade to our traffic detection system at four (4) major intersections - James Campbell Blvd & Trotwood Ave, James Campbell Blvd & Highland Ave, Nashville Highway & Burt Dr and James Campbell Blvd & Garden St. This upgrade will replace loop detection in the roadway and provides for better vehicle detection at traffic signals using radar.

CERTIFICATION: The Chief Financial Officer certifies that \$124,180 will be proposed to be budgeted and unencumbered via Appropriation Amendment No. 1 in Capital Projects-Streets-General - Administrative.

ATTACHMENTS: Staff Report - Wavetronix, Wavetronix quote, Wavetronix Legal, Wavetronix Sole Source letter

7.21. APPROVE AND AUTHORIZE MAYOR TO SIGN A CONTRACT WITH WASTE MANAGEMENT FOR DISPOSAL OF SOLID WASTE IN EXTENUATING CIRCUMSTANCES. - PUBLIC WORKS DEPARTMENT.

RECOMMENDATION: Approve and authorize Mayor to sign a contract with Waste Management.

INFORMATION: Public Works normally takes solid waste to the Maury County transfer station. If they are closed or do not have room, we take solid waste to United Waste haulers. In the event they are both closed, we need a location to dispose of solid waste so our department can continue collecting as normal. We are requesting to utilize a contract with Waste Management that will be used only in emergency or extenuating circumstances. The current tonnage rate for Waste Management will be \$40.00 per ton. This rate will change yearly based on the (CPI) Consumer Price Index.

ATTACHMENTS: Staff Report -Waste Management, WM Contract, WM Exhibit A, WM Profile

7.22. RATIFY THE APPROVAL OF AN AGREEMENT WITH NUBER ARCHITECTURE LLC FOR REROOF RETROFIT FOR ALLEY BETWEEN SQUARE MARKET AND THE MANN BUILDING IN THE AMOUNT OF \$4,365. PROJECT ID NO. 2024018 - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Approve

INFORMATION: The City of Columbia investigated a failed membrane roofing system causing a safety hazard to the public. The above listed project will address the failed system and constitute a roof replacement for the alley between Square Market and the Mann Building. Due to safety concerns, this was approved as an emergency purchase. The agreement totals \$4,365.

CERTIFICATION: The Chief Financial Officer certifies that \$4,365 will be proposed to be budgeted and unencumbered via Appropriation Amendment No. 1 in Capital Projects-General Government - Professional Services.

ATTACHMENTS: Nuber Staff Report, Professional services agreement, Nuber Architecture

7.23. APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE AMENDMENT NO. 2 WITH TDOT FOR AGREEMENT NO. 200035, IRON BRIDGE ROAD, BRIDGE OVER LYTLE CREEK, LM 1.300 PROJECT ID NO. 130092.00 - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Approve.

INFORMATION: Amendment No. 2 to the City of Columbia's contract with TDOT is requesting to extend the Project Completion date to on or before November 30, 2026. The funding is an 80/20 split between Federal (\$1,328,000) and local (\$332,000).

ATTACHMENTS: TDOT Amendment No. 2 Staff Report, Amendment No. 2

7.24. APPROVE SOLE SOURCE PROCUREMENT OF NINE (9) CAMERA SYSTEMS FROM MOTOROLA IN THE AMOUNT OF \$75,328.20 - POLICE DEPARTMENT.

RECOMMENDATION: Approve the purchase of nine (9) in-car/body camera systems from Motorola in the amount of \$75,328.20

INFORMATION: Today's law enforcement environment requires accountability and documentation of all actions taken by officers in the field. In an effort to fulfill this requirement, the department uses Motorola Solutions for both in-car(m500) and body camera systems(V700). It was determined that a system integrating both an in-car camera system with a body camera into a single video record of an enforcement event to be the best option for the City. These nine (9) cameras systems are the same make and model as purchased previously, and they will integrate with our current hardware and software systems.

CERTIFICATION: The Chief Financial Officer certifies that \$75,329 is budgeted and unencumbered in Capital Projects-Patrol-Transportation Equipment.

ATTACHMENTS: Staff Report Motorola Camera Systems, Motorola Quote, Sole Source

7.25. APPROVE AND AUTHORIZE THE PURCHASE OF (9) DODGE POLICE PURSUIT AWD VEHICLES FROM COLUMBIA DODGE IN THE AMOUNT OF \$401,222.25 UTILIZING STATE-WIDE CONTRACT - POLICE DEPARTMENT.

RECOMMENDATION: Approve the purchase of nine Dodge Pursuit AWD vehicles from Columbia Dodge in the amount of \$401,222.25

INFORMATION: This entire purchase of the nine police interceptor vehicles will cost the City of Columbia \$401,222.25

CERTIFICATION: The Chief Financial Officer certifies that \$401,223 is budgeted and unencumbered in Capital Projects-Patrol - Transportation Equipment.

ATTACHMENTS: Staff Report Police Vehicles, SWC 209, Quote Vehicles

7.26. APPROVE CHANGE ORDER NO. 5 WITH BRINDLEY CONSTRUCTION, LLC FOR THE CITY OF COLUMBIA FIRE

STATION PROJECT, WHICH INCREASES THE CONTRACT AMOUNT BY A TOTAL OF \$99,762.86 - FIRE & RESCUE.

RECOMMENDATION: Approve.

INFORMATION: City Council approved a bid award December 14, 2023, to Brindley Construction, LLC in the amount of \$4,882,000 for the renovations to Fire Station No. 1 located at 1000 South Garden Street.

Change Orders No. 1 and No. 2 reduced the contract amount by a combined total of \$27,887 resulting in a lower contract price of \$4,854,113.00. Change Order No. 3 increased the contract amount by \$84,000 to provide all material, labor and equipment needed for the installation of a 220' underground fire line using 6" CPVC C900 DR 18 piping, designed to enhance the property's fire suppression capabilities. Key components included a protective hot box for temperature regulation, a DCDA backflow preventer for water safety, and a concrete vault prepared for an owner-supplied full flow meter in compliance with the City of Columbia.

Change Order No. 4 increased the contract price by \$8,876 to add receptacles in the Compressor Room, add 2 receptacles in the Apparatus Room, add 5 receptacles 8' high in the apparatus Room, add 16 USB receptacles in the living area between the beds.

Change Order No. 5 increases the contract price by \$99,762.86 to undercut the concrete area at the rear of the building and rock removal.

Change Order No. 5 increases the total contract price to \$5,037,875.86.

CERTIFICATION: The Chief Financial Officer certifies that \$99,763 will be proposed to be budgeted and unencumbered via Appropriation Amendment No. 1 in Capital Projects-Fire-Suppression - Operational.

ATTACHMENTS: Staff Report Change Order No. 5, Architect Executed - Columbia Fire Station - Change Order 5 (undercut and rock removal)

8 ADMINISTRATION.

8.1.REQUEST FROM COLUMBIA STATE COMMUNITY COLLEGE PRESIDENT DR. JANET SMITH TO WAIVE FEES ASSOCIATED WITH THE NEW SOUTHERN REGIONAL TECHNOLOGY CENTER - ADMINISTRATION.

RECOMMENDATION: Approve.

INFORMATION: City Council has been asked to waive \$325,000 in fees associated with the construction of the college's Southern Regional Technology Center.

ATTACHMENTS: Staff Report CSCC, SRTC Design and location, CSCC Email

9 RESOLUTIONS.

9.1.RESOLUTION NO. 24-45 - A RESOLUTION TO ACCEPT THE OWNERSHIP AND MAINTENANCE OF SEWER IMPROVEMENTS SERVING WILLIAMSPORT LANDING SINGLE FAMILY PHASE 2 AND 3 - WASTEWATER DEPARTMENT.

RECOMMENDATION: Approve Resolution No. 24-45.

INFORMATION: Williamsport Landing Single Family Phase 2 and 3 consists of 3,544 linear feet of 8" sanitary sewer main. The Developers met all of the qualifications for acceptance. The Wastewater Department has performed the necessary testing and inspections.

ATTACHMENTS: Staff Report Resolution No. 24-45, Resolution No. 24-45, Resolution No. 24-45 Dedication Letter

9.2.RESOLUTION NOS. 24-46 THROUGH 24-55 - RESOLUTIONS AUTHORIZING APPROPRIATIONS FOR FINANCIAL AID TO NON-PROFIT ORGANIZATIONS WHOSE SERVICES BENEFIT THE GENERAL WELFARE OF THE RESIDENTS OF THE CITY OF

COLUMBIA IN ACCORDANCE WITH TCA SECTION 6-54-111 - CITY MANAGER'S OFFICE.

RECOMMENDATION: Approve Resolution Numbers 24-46 through 24-55.

INFORMATION: Resolution No. 24-46– Authorizing an appropriation of \$1,000 to Crimestoppers of Maury County, to help fund general operations for Crimestoppers of Maury County, Inc.

Resolution No. 24-47– Authorizing an appropriation of \$3,000 to James K. Polk Memorial Association to promote tourism, educational activities, support general operations and services.

Resolution No. 24-48– Authorizing an appropriation of \$10,000 to the Boys and Girls Club of Maury County to support general operations and services.

Resolution No. 24-49- Authorizing an appropriation of \$6,550 to South Central Human Resources Agency to support general operations and services.

Resolution No. 24-50– Authorizing an appropriation of \$5,000 to the Family Center, to support general operations and services.

Resolution No. 24-51– Authorizing an appropriation of \$5,000 to Center of Hope to support general operations and services.

Resolution No. 24-52- Authorizing an appropriation of \$3,000 to Columbia Cares, to support agency operational expenses and services.

Resolution No. 24-53– Authorizing an appropriation of \$25,000 to Columbia State Community College for the Southern Regional Technology Center Building (Year 3 of 4).

Resolution No. 24-54– Authorizing an appropriation of \$5,000 to Kid's Place to support general operations and services.

Resolution No. 24-55– Authorizing an appropriation of \$5,000 to

Maury County Harvest Share Food Pantry to support general operation and services.

CERTIFICATION: The Chief Financial Officer certifies that \$68,550 is budgeted and unencumbered in City Council - Special Appropriations.

ATTACHMENTS: Staff Report Resolutions 24-46 through 24-55, Resolution No. 24-46, Resolution No. 24-47, Resolution No. 24-49, Resolution No. 24-50, Resolution No. 24-51, Resolution No. 24-52, Resolution No. 24-53, Resolution No. 24-54, Resolution No. 24-55

9.3. RESOLUTION NO. 24-56 - A RESOLUTION TO ACCEPT THE OWNERSHIP AND MAINTENANCE OF SEWER IMPROVEMENTS SERVING VESPER COURT - WASTEWATER DEPARTMENT.

RECOMMENDATION: Approve Resolution No. 24-56.

INFORMATION: Vesper Court consists of 467 linear feet of 8" sanitary sewer main. The Developers met all of the qualifications for acceptance. The Wastewater Department has performed the necessary testing and inspections.

ATTACHMENTS: Staff Report Resolution No. 24-56, Resolution No. 24-56, Resolution No. 24-56 Dedication Letter

9.4. RESOLUTION NO. 24-58 - A RESOLUTION TO APPROVE THE CITY OF COLUMBIA'S APPLICATION FOR THE FEMA-4792-DR-TN PUBLIC ASSISTANCE GRANT, ACCEPT THE AWARD AND AUTHORIZE THE MAYOR TO EXECUTE DOCUMENTS RELATED TO ACCEPTING AND ADMINISTERING THE GRANT PROJECT - FIRE & RESCUE.

RECOMMENDATION: Approve Resolution No. 24-58.

INFORMATION: The President of the United States issued a major disaster declaration for damages resulting from a tornadic event on May 8, 2024 in certain areas of the State of Tennessee to include Maury County.

Columbia Fire & Rescue is requesting City Council ratify the application for the FEMA-4792-DR-TN Public Assistance Grant. If

awarded, these funds will be utilized to recover costs associated with damages as a result of this disaster.

Any funds received would be shared as follows: FEMA 75%; TEMA 12.5%; City of Columbia 12.5%.

CERTIFICATION: The Chief Financial Officer certifies that funds will be proposed in a forthcoming budget amendment following receipt of the executed grant contract.

ATTACHMENTS: Resolution No. 24-58 Staff Report , Resolution No. 24-58 FEMA4792TN

9.5. RESOLUTION NO. 24-59 - A RESOLUTION TO AUTHORIZE THE CITY OF COLUMBIA TO APPLY FOR THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION STATEWIDE PARTNERSHIP PROGRAM FOR THE WIDENING OF BEAR CREEK PIKE (SR99) FROM NASHVILLE HWY TO INTERSTATE 65 - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Approve Resolution 24-59.

INFORMATION: A Resolution to authorize the City of Columbia to apply for Tennessee Department of Transportations (TDOT) 2024 Statewide Partnership Program (SPP).

As part of TDOT's 10-Year Project Planning process, the 2024 Statewide Partnership Program would be essential in funding the City of Columbia project to widen 7.2 miles of Bear Creek Pike (SR-99/US-412) from Nashville Highway (SR-6/US-31) to Interstate 65.

This segment of Bear Creek Pike provides a regional connection to interstate 65, and has become an increasing priority for the City of Columbia due to the impacts that increasing traffic (along this corridor) will create regarding safety, congestion, and economic opportunities. The city is currently developing plans for the Nashville Hwy and Bear Creek Pike Intersection (PIN:125912.00), and TDOT recently constructed the interchange modification project at Bear Creek Pike and Interstate 65 (PIN:115786.00). Once these two bookends of this road segment are complete, traffic will significantly increase along the

route, enhancing the sense of urgency regarding this widening project and opportunity.

The widening of Bear Creek Pike is a need which will only continue to rise. This issue is widely supported in our community, including our legislative delegation. Given the timing of the above stated projects, the timing of this application, and indeed this project, could not be better.

Partnering with TDOT would create an opportunity to accomplish this identified city goal along with enhancing and improving the local, state and federal transportation system. The City of Columbia pledges \$1,000,000 per year for 10 years (\$10,000,000) to assist in funding this project. This commitment represents what would be the largest financial commitment, in partnership with a state agency, in city history.

CERTIFICATION: The Chief Financial Officer certifies that funds will be proposed in a forthcoming budget amendment following receipt of the executed grant contract.

ATTACHMENTS: Staff Report Resolution No. 24-59, Resolution No. 24-59, TDOT Statewide Partnership Program FACT Sheet (2024)

9.6. RESOLUTION NO. 24-60 - A RESOLUTION REPEALING AND DELETING THE CURRENT PERSONNEL POLICIES AND PROCEDURES MANUAL OF THE CITY OF COLUMBIA AND REPLACING SUCH MANUAL WITH A NEW PERSONNEL POLICIES AND PROCEDURES MANUAL FOR THE CITY OF COLUMBIA TENNESSEE WITH AN EFFECTIVE DATE OF SEPTEMBER 1, 2024 - HUMAN RESOURCES.

RECOMMENDATION: Approve Resolution No. 24-60.

INFORMATION: The following section of the Policy Handbook has the following Changes:

1. Section 201 Equal Employment Opportunity; The Pregnancy Workers Fairness Act, American Disabilities section, Commitment to Diversity

2. Section 202 Recruitment: A retiree returns to full-time employment, and at the end of said employment, the retiree's pre-2012 health insurance benefits will be re-established. Exit interviews will be held for employees resigning from a position.
3. Section 208 Appointments Selection section explaining the promotional pay process
4. Section 309 5% additional increase for Post Bachelor's degree
5. Section 401 Vacation carryover has been changed to 240 hours
6. Section 708 Travel The City Manager must approve all Department Head travel in advance

ATTACHMENTS: Staff Report Resolutions 24-60, Resolution No. 24-60, Resolution No. 24-60 Exhibit A 080124, Mark ups

10 ORDINANCES.

10.1.2ND CONSIDERATION OF ORDINANCE NO. 4511 - AN ORDINANCE AMENDING TITLE 18, CHAPTER 3, SECTION 18-303, OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA BY REPLACING IN ITS ENTIRETY PRESENT SCHEDULES A AND B AND ADOPTING AND APPROVING THE FOLLOWING SCHEDULES A AND B

RECOMMENDATION:

INFORMATION: Columbia Power and Water Systems (CPWS) has requested City Council to increase the water rate for large volume water customers. This recommendation is to encourage water conservation from large water customers. CPWS President and Chief Executive Officer Jonathan Hardin will be present to explain the request for the increase.

ATTACHMENTS: Staff Report Ordinance No. 4511, Ordinance No. 4511, CPWS Memo, CPWS Resolution, CPWS Conservation Pricing for Residential Water Supply, CPWS Board Discussion/Water Cost of Service Study.

10.2.2ND CONSIDERATION OF ORDINANCE NO. 4512 - AN ORDINANCE TO AMEND TITLE 18, CHAPTER 3 OF THE COLUMBIA MUNICIPAL CODE BY AMENDING 18-310 TO INCREASE THE WATER IMPACT FEE UPON NEW WATER

CUSTOMERS TO SERVE THE DEMAND FOR WATER SYSTEM CAPITAL FACILITIES AND PUBLIC IMPROVEMENTS

RECOMMENDATION:

INFORMATION: CPWS has requested the impact fee schedule be increased across the board over a 3-year period. CPWS President and Chief Executive Officer Jonathan Hardin will be present to explain the request.

ATTACHMENTS: Staff Report Ordinance No. 4512, Ordinance No. 4512 , CPWS Memo on Proposed Water Impact Fee , CPWS Resolution impact fee amendment.

10.3.1ST CONSIDERATION ON ORDINANCE NO. 4513 - AN ORDINANCE AMENDING ORDINANCE NO. 4176 BY REPEALING AND REPLACING THE ACCESS MANAGEMENT PLAN WITH A NEW ACCESS MANAGEMENT PLAN - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Approve Ordinance No. 4513 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend Ordinance 4176, with changes concerning Access Management, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero.

ATTACHMENTS: Staff Report for Ordinance No. 4513, Ordinance No. 4513, Ordinance No. 4513 Exhibit A, Staff Markup

10.4.1ST CONSIDERATION ON ORDINANCE NO. 4514 - AN ORDINANCE TO AMEND THE COLUMBIA MUNICIPAL CODE BY DELETING TITLE 14, CHAPTER 4 PERTAINING TO STORMWATER MANAGEMENT REGULATIONS IN ITS ENTIRETY AND REPLACING SUCH SECTION WITH A NEW TITLE 14 CHAPTER 4 PERTAINING TO STORMWATER MANAGEMENT - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Approve Ordinance No. 4514 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend the Stormwater Management Ordinance. The intent of this ordinance is to make the language of the Chapter consistent with the language in the State MS4 Permit and BMP Manuals. Planning Commission recommended approval at the June 5, 2024 meeting by a vote of five to zero.

ATTACHMENTS: Staff Report for Ordinance No. 4514, Ordinance No. 4514, Ordinance No. 4514 Exhibit A

10.5.1ST CONSIDERATION ON ORDINANCE NO. 4515 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING ADMINISTRATION, PROCEDURE, & ENFORCEMENT IN ARTICLE 8 BY REPEALING AND REPLACING SUCH ARTICLE 8 WITH A NEW ARTICLE 8 ADMINISTRATION, PROCEDURE, & ENFORCEMENT - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Approve Ordinance No. 4515 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 8: Administration, Procedure, & Enforcement, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero.

ATTACHMENTS: Staff Report for Ordinance No. 4515, Ordinance No. 4515, Ordinance No. 4515 Exhibit A, Ordinance 4515 Marked Changes, Ordinance No. 4515 DS Staff Report

10.6.1ST CONSIDERATION ON ORDINANCE NO. 4516 -AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING BUILDING, LOT AND BUILDING SITE STANDARDS IN ARTICLE 4 BY REPEALING SUCH ARTICLE AND REPLACING SUCH ARTICLE 4 WITH A NEW ARTICLE 4

**BUILDING, LOT AND BUILDING SITE STANDARDS -
DEVELOPMENT SERVICES DEPARTMENT.**

RECOMMENDATION: Approve Ordinance No. 4516 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 8: Administration, Procedure, & Enforcement, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero.

ATTACHMENTS: Staff Report for Ordinance No. 4516, Ordinance No. 4516, Ordinance No. 4516 Exhibit A, Ordinance No. 4516 Exhibit B, Ordinance No. 4516 Marked Changes "A", Ordinance No. 4516 Marked Changes "B", Ordinance No. 4516 DS Staff Report

**10.7.1ST CONSIDERATION ON ORDINANCE NO. 4517 - AN
ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME
BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA,
TENNESSEE REGARDING DEVELOPMENT PARCEL
STANDARDS IN ARTICLE 5 BY REPEALING AND REPLACING
SUCH ARTICLE 5 WITH A NEW ARTICLE 5 DEVELOPMENT
PARCEL STANDARDS - DEVELOPMENT SERVICES
DEPARTMENT.**

RECOMMENDATION: Approve Ordinance 4517 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 5: Development Parcel Standards as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero.

ATTACHMENTS: Staff Report for Ordinance No. 4517, Ordinance No. 4517, Ordinance No. 4517 Exhibit A, Ordinance 4517 Marked Changes "A", Ordinance No. 4517 DS Staff Report

10.8.1ST CONSIDERATION ON ORDINANCE NO. 4518 - AN ORDINANCE AMENDING DEVELOPMENT SERVICES PLANNING FEE SCHEDULE FOR THE CITY OF COLUMBIA, TENNESSEE - CITYWIDE - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Approve Ordinance No. 4518 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend the Planning Fee schedule as attached. Approval was recommended by the Planning Commission at the June 5, 2024 meeting by a vote of five to zero.

ATTACHMENTS: Staff Report for Ordinance No. 4518, Ordinance No. 4518, Ordinance No. 4518 Exhibit A, Ordinance No. 4518 Current Fee Schedule

10.9.1ST CONSIDERATION ON ORDINANCE NO. 4519 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING SUPPLEMENTAL STANDARDS IN ARTICLE 6 BY REPEALING SUCH ARTICLE AND REPLACING SUCH ARTICLE 6 WITH A NEW ARTICLE 6, SUPPLEMENTAL STANDARDS - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Approve Ordinance No. 4519 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 6: Supplemental Standards, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero.

ATTACHMENTS: Staff Report for Ordinance No. 4519, Ordinance No. 4519, Ordinance No. 4519 Exhibit A, Ordinance 4519 Marked Changes "A", Ordinance No. 4519 DS Staff Report

10.10.1ST CONSIDERATION ON ORDINANCE NO. 4520 - AN ORDINANCE TO AMEND THE COLUMBIA MUNICIPAL CODE BY REPEALING AND REPLACING TITLE 14, CHAPTER 5 PERTAINING TO ENGINEERING STANDARDS AND SPECIFICATIONS - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Approve Ordinance No. 4520 on first consideration.

INFORMATION: The Engineering Standards and Specifications is requested to be updated by Development Services Department to coordinate with the changes of the Zoning Ordinance. Planning Commission recommended approval of the proposal at the June 5, 2024 meeting by a vote of five to zero.

ATTACHMENTS: Staff Report for Ordinance No. 4520, Ordinance No. 4520 , Ordinance No. 4520 Exhibit A, Ordinance No. 4520 Thoroughfares Illustrations, Ordinance No. 4520 Staff Markup

10.11.1ST CONSIDERATION ON ORDINANCE NO. 4521 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING ZONING MAP IN ARTICLE 2 BY REPEALING SUCH ARTICLE AND REPLACING SUCH ARTICLE 2 WITH A NEW ARTICLE 2, ZONING MAP - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Approve Ordinance No. 4521 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 2: Zoning Map, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero.

ATTACHMENTS: Staff Report for Ordinance No. 4521, Ordinance No. 4521, Ordinance No. 4521 Exhibit A, Ordinance 4521 Marked Changes "A"

10.12.1ST CONSIDERATION ON ORDINANCE NO. 4522 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING DEFINITIONS IN ARTICLE 9 BY REPEALING SUCH ARTICLE AND REPLACING SUCH ARTICLE 9 WITH A NEW ARTICLE 9, DEFINITIONS - DEVELOPMENT SERVICES DEPARTMENT.

RECOMMENDATION: Approve Ordinance No. 4522 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 9: Definitions, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero.

ATTACHMENTS: Ordinance No. 4522 Staff Report, Ordinance No. 4522, Ordinance No. 4522 Exhibit A, Ordinance No. 4522 Marked Changes

10.13.1ST CONSIDERATION ON ORDINANCE NO. 4523 - AN ORDINANCE APPROVING THE CONVEYANCE OF A PERMANENT UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT TO COLUMBIA POWER AND WATER SYSTEMS FOR PURPOSES OF A WATER LINE - PUBLIC WORKS DEPARTMENT.

RECOMMENDATION: Approve Ordinance No. 4523.

INFORMATION: Columbia Power and Water Systems, as part of the Community H2O Program, has identified and approved a permanent utility easement and temporary construction easement for the purpose of a water line located on the property at 110 Santa Fe Pike. This water line is needed in conjunction with the Community H2O Program for the purposes of the Columbia Power and Water Systems long term water supply program. Columbia Power and Water Systems will compensate the City of Columbia in the amount of \$116,800.00 for this easement.

ATTACHMENTS: Staff Report Ordinance No. 4523, Ordinance 4523, Exhibit A, CPWS offer to purchase easement, Exhibit Sketch

11 PUBLIC COMMENT.

12 OTHER BUSINESS.

13 EXECUTIVE SESSION.

14 ADJOURNMENT.

15 UPCOMING EVENTS.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Liz Bermudez, Executive Secretary, liz@columbiatn.com 931.560.1510

AGENDA ITEM TITLE:

PUBLIC HEARING ON ORDINANCE NO. 4511 - AN ORDINANCE AMENDING TITLE 18, CHAPTER 3, SECTION 18-303, OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA BY REPLACING IN ITS ENTIRETY PRESENT SCHEDULES A AND B AND ADOPTING AND APPROVING THE FOLLOWING SCHEDULES A AND B

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: Columbia Power and Water Systems (CPWS) has requested City Council to increase the water rate for large volume water customers. This recommendation is to encourage water conservation from large water customers. CPWS President and Chief Executive Officer Jonathan Hardin will be present to explain the request for the increase. The required notice of Public Hearing was advertised on July 14, 2024, in The Daily Herald.

ATTACHMENTS: Staff Report, Ordinance No. 4511, Supporting Documentation.

**AN ORDINANCE AMENDING TITLE 18, CHAPTER 3, SECTION 18-303, OF THE
MUNICIPAL CODE OF THE CITY OF COLUMBIA BY REPLACING IN ITS
ENTIRETY PRESENT SCHEDULES A AND B AND ADOPTING AND
APPROVING THE FOLLOWING SCHEDULES A AND B**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA,
TENNESSEE:

SECTION 1: That Title 18, Chapter 3, Section 18-303 of the Municipal Code of the City of Columbia be, and it is hereby amended by repealing in its entirety Schedules A and B and adopting and approving the following Schedules A and B:

SCHEDULE A – URBAN AREA

Rate Schedule

September 1, 2024

Customer Charge:

Residential	\$11.75
Commercial	\$16.25
Industrial	\$76.15

Multi-Unit Charge:

Residential per unit	\$4.40
Commercial per unit	\$6.05

Residential Commodity Charge:

0 – 8,000 Gallons	\$3.30 per 1,000
8,000 – 20,000 Gallons	\$3.80 per 1,000
All over 20,000 Gallons	\$4.05 per 1,000

Commercial and Industrial Commodity Charge:

0 – 8,000 Gallons	\$3.30 per 1,000
8,000 – 20,000 Gallons	\$3.80 per 1,000
All over 20,000 Gallons	\$4.05 per 1,000

Multi-Unit Charge: A Multi-Unit Charge applies for each unit of a multiple unit dwelling or commercial complex purchasing water through a master water meter.

Amortization Charge: An additional charge of five cents (\$.05) per 1,000 gallons of water used is applicable to the above rate to defray the City of Columbia's share of the water supply benefits provided by Tennessee Duck River Development Agency.

Late Charge: A late payment charge of ten percent (10%) shall be added to each customer's bill for the amount of the bill unpaid after the bill due date specified on the bill.

SCHEDULE B – SUBURBAN AREA

Rate Schedule September 1, 2024

Customer Charge:

Residential	\$17.25
Commercial	\$22.00
Industrial	\$76.15

Multi-Unit Charge:

Residential per unit	\$4.50
Commercial per unit	\$6.25

Residential Commodity Charge:

0 – 8,000 Gallons	\$4.30 per 1,000
8,000 – 20,000 Gallons	\$4.80 per 1,000
All over 20,000 Gallons	\$5.05 per 1,000

Commercial and Industrial Commodity Charge:

0 – 8,000 Gallons	\$4.30 per 1,000
8,000 – 20,000 Gallons	\$4.80 per 1,000
All over 20,000 Gallons	\$5.05 per 1,000

Multi-Unit Charge: A Multi-Unit Charge applies for each unit of a multiple unit dwelling or commercial complex purchasing water through a master water meter.

Amortization Charge: An additional charge of five cents (\$.05) per 1,000 gallons of water used is applicable to the above rate to defray the City of Columbia's share of the water supply benefits provided by Tennessee Duck River Development Agency.

Late Charge: A late payment charge of ten percent (10%) shall be added to each customer's bill for the amount of the bill unpaid after the bill due date specified on the bill.

SECTION 2: BE IT FURTHER ORDAINED that said new rates are to become effective for all bills mailed on or after September 1, 2024.

SECTION 3: BE IT FURTHER ORDAINED that all resolutions, ordinances, or parts thereof in conflict with the provisions of this amendment to the extent of such conflict are hereby repealed and this amendment shall take effect September 1, 2024, the public welfare requiring it.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
COLUMBIA, TENNESSEE, THIS THE _____ DAY OF _____, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY -CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration _____

**AMENDED RESOLUTION REQUESTING THAT THE CITY COUNCIL OF THE
CITY OF COLUMBIA, TENNESSEE CONSIDER FOR ADOPTION
AN ORDINANCE AMENDING TITLE 18, CHAPTER 3, SECTION 18-303,
OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA BY REPLACING
IN ITS ENTIRETY PRESENT SCHEDULES A AND B AND APPROVING NEW
SCHEDULES A AND B**

WHEREAS, by Resolution dated May 29, 2024, the Board of Public Utilities (the “Board”) of the City of Columbia, Tennessee (the “Municipality”), found that it was necessary and in the public interest to seek a new water rate schedule; and

WHEREAS, the Board after additional consideration of the cost of service studies that have been performed for the Board, it requests that the Municipality adopt and approve the attached amended Ordinance which replaces in its entirety present Schedules A and B of Title 18, Chapter 3, Section 18-303 of the Municipal Code with new Schedules A and B for 2024; and

WHEREAS, a copy of the amended proposed Ordinance is attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Public Utilities of the City of Columbia, Tennessee, that this Board hereby recommends to the City Council that the City Council approve the Amended Ordinance, in substantially the form as attached hereto, to amend Title 18, Chapter 3, Section 18-303 of the Municipal Code of the City of Columbia by replacing in its entirety present Schedules A and B and adopting and approving new Schedules A and B for 2024.

BE IT FURTHER RESOLVED, that a duly certified copy of this Resolution be immediately transferred to the City Council of the Municipality.

APPROVED AND ADOPTED, this the 29th day of May, 2024.

ATTEST:

CHAIRMAN

SECRETARY



Memorandum

To: Board of Public Utilities
From: Jonathan Hardin 
Date: May 29, 2024
Re: Proposed Water Rate Action – Inclining Block Rates

The CPWS Board must provide a recommending resolution to the City Council of Columbia, Tennessee for adopting changes to the water rate schedule to encourage water conservation. CPWS management, in close collaboration with Jackson Thornton and legal counsel, provides for consideration the attached resolution.

The resolution recommends restructuring water rates with three different usage blocks proposed and inclining rates for each block. The blocks are 0-8,000 gallons per month, 8,001 – 20,000 gallons per month and then usage exceeding 20,000 gallons per month.

Some supporting documentation is provided for education on the benefits of inclining block rates for water conservation efforts.

CPWS management recommends the attached resolution for changes to the water rate schedule be approved and submitted to the City Council of Columbia (TN) for their consideration and vote.

Conservation Pricing for Residential Water Supply¹

Tatiana Borisova, Serhat Asci, Burcin Unel, and Colin Rawls²

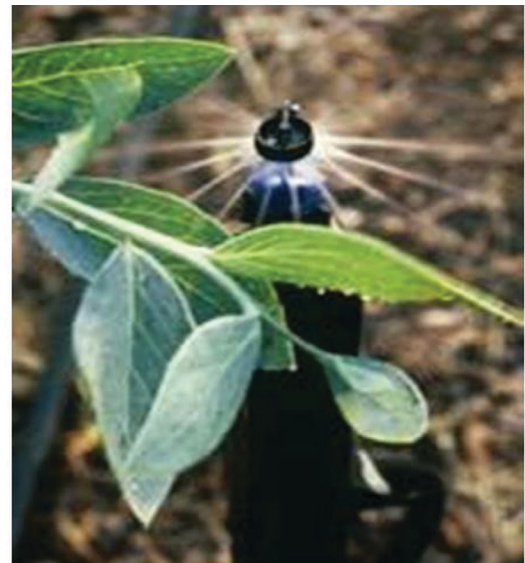
Introduction

According to the preliminary estimates compiled by the United States Geological Survey (USGS) for 2010, withdrawals of freshwater for public water supply in Florida averaged about 2.2 billion gallons per day, or about 35 percent of total freshwater withdrawals in the state (Borisova and Rogers 2014; USGS 2010). It is expected that public water supplies will become the largest water user by the year 2025, with an additional 2.0 billion gallons of freshwater withdrawals per day (FDEP 2010).

Extensive water use for public water supply, irrigated agriculture, and periodic droughts has led to a significant decline in Floridan aquifer levels in some areas of Florida, and lowered lake levels and spring discharges throughout the state. Water conservation is seen as “the most important action we can take to sustain our water supplies, meet future needs, and reduce demands on Florida’s fragile water-dependent ecosystems such as lakes, streams, and the Everglades” (FDEP 2008).

Currently, water management districts require public water suppliers to implement such water conservation measures as adoption of local irrigation ordinances, leak detection, public education, and conservation-based water rates. This paper focuses on the conservation-based rates (also referred to as inclining block rates, inverted block rates, conservation rates, conservation-oriented rates, or demand management pricing). Below, we define the criteria used

to design and evaluate conservation-based rates, consider alternative rate structures, and briefly discuss challenges posed by conservation-oriented rates for utility companies. As an illustrative example, we discuss rates used by Gainesville Regional Utilities (GRU) in 2013–2014 (GRU 2013).



Credit: UF/IFAS

Conservation-Oriented Water Rates

Conservation-oriented water rates are aimed at stimulating water use efficiency and water conservation through economic incentives, specifically through water price signals. American Water Works Association suggested

1. This document is FE756, one of a series of the Food and Resource Economics Department, UF/IFAS Extension. Original publication date October 2008. Revised May 2009 and April 2014. Reviewed March 2018. Visit the EDIS website at <https://edis.ifas.ufl.edu>.
2. Tatiana Borisova, assistant professor, Food and Resource Economics Department; Serhat Asci, post-doctorate, Food and Resource Economics; Burcin Unel, former research associate, Public Utility Research Center; and Colin Rawls, former graduate student, Food and Resource Economics Department; UF/IFAS Extension, Gainesville, FL 32611.

The Institute of Food and Agricultural Sciences (IFAS) is an Equal Opportunity Institution authorized to provide research, educational information and other services only to individuals and institutions that function with non-discrimination with respect to race, creed, color, religion, age, disability, sex, sexual orientation, marital status, national origin, political opinions or affiliations. For more information on obtaining other UF/IFAS Extension publications, contact your county's UF/IFAS Extension office.

U.S. Department of Agriculture, UF/IFAS Extension Service, University of Florida, IFAS, Florida A & M University Cooperative Extension Program, and Boards of County Commissioners Cooperating. Nick T. Place, dean for UF/IFAS Extension.

four criteria to design and evaluate a conservation water rate structure. Three of the criteria are discussed here: (1) the structural form of the rate; (2) the proportion of utility costs that is recovered through fixed versus commodity charges; and (3) effective communication of the price signal through consumer billing. The fourth suggested criterion is relevant only for public-sector utilities and is not discussed in this publication: the extent to which the cost of the utility service is covered through user fees as opposed to other sources, such as taxes or general funds transfer (Beecher et al. 1994).

Structural Form of Water Rates

Conservation pricing is based on the idea that customer water use decreases as the price paid for water increases, which is the typical price-quantity relationship for almost any good or service. A variety of structural forms associated with conservation-oriented rates are summarized in Table 1. Inverted block rate (aka, inclining block rate) is the structural form that is most frequently associated with a conservation-oriented water rate. Given an inverted block rate structure, customer water usage is divided into several blocks so that the price paid for the *additional* unit of water increases as residential water usage increases from one block to the next.

To illustrate an inverted block rate structure, we use an example of the three-block structure employed by GRU in 2013–2014 (Table 2; Figures 1 and 2). The price that GRU customers pay for 1,000 gallons of water is \$2.30, as long as a household uses less than 6,000 gallons per billing period (in addition to \$9.00 per billing period service charge). However, the household will need to pay \$3.75 for each *additional* thousand gallons in excess of 6,000 gallons per billing period. Each *additional* thousand gallons will cost even more (\$6.00) if the household exceeds the 20,000 gallons per billing period. Similarly, for residents who have a separate meter for their irrigation water use, GRU uses inverted block structure with two blocks (Table 2).

The inverted block water rate structure is often contrasted with flat, declining block, and uniform water rate structures. A flat rate structure implies that consumers’ monthly payments are fixed and independent of the volumes of water used. This structure is often employed when consumers’ water usage is not metered. Flat rate structure does not provide economic incentives for water conservation since customers’ costs of additional gallons of water are zero. Under a declining block rate structure, a consumer pays less per additional unit of water as usage increases. Finally, given a uniform rate structure, customers pay the

same price for every additional unit of water that they use. Although customers’ total monthly payments increase with the amount of water they use, uniform and declining water rate structures provide weaker incentives for water conservation in comparison with inverted block water rates, for which not only the total payment, but also the unit payment increases with the volume of water used.

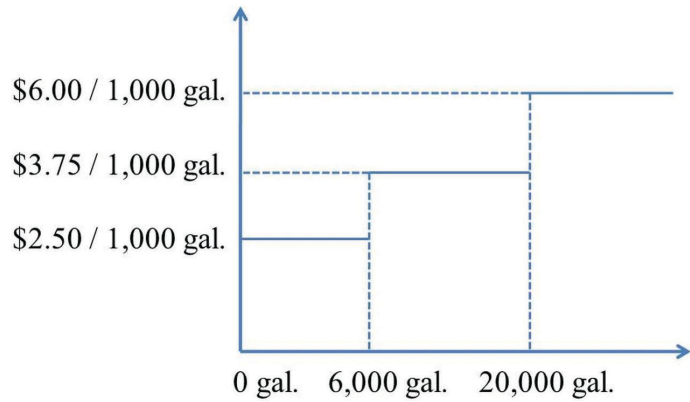


Figure 1. Inverted block rate structure used by GRU for residential customers (GRU 2013).

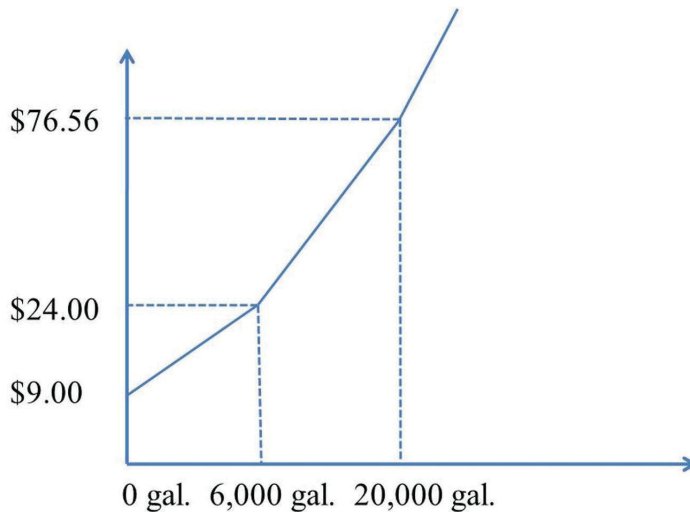


Figure 2. Total payment for water use by a residential customer to GRU using only volumetric and monthly flat charges (GRU 2013).

In 2012, of the 170 Florida utility companies surveyed by Raftelis (2012), 18 used uniform rate structures (11%) and 152 used inverted block rate structures with two to six rate blocks (89%). The number of utility companies using inverted block rate structure increases over time (Whitcomb 2005).

Design of a Conservation-Oriented Rate Structure

Water utilities employing an inverted block rate structures have the flexibility to decide on the number of blocks, block water rates, and threshold usage for each block. The

decision is typically based on customers' characteristics and is made iteratively until the appropriate demand response and revenue collection goals are achieved (Raftelis 2005). For example, the first block can cover non-discretionary water usage, such as average indoor water uses for drinking, cooking, sanitation, and cleaning. The first block rates are kept relatively low to ensure water affordability for the low-income group. Alternatively, the blocks can be linked to average daily, maximum daily, and maximum hourly costs of serving residential customers (Raftelis 2005). Also, computer models are available to help utilities simulate the effects of different rate designs on their revenue streams.



Credit: UF/IFAS

To capture differences in discretionary and non-discretionary use amounts, as well as in the costs of servicing, multiple inverted block rate structures can be developed for different classes of customers, such as residential, commercial, industrial, and institutional classes. However, to avoid over-complication of a utility's pricing system, an inverted rate structure is usually introduced for residential customers only, since this class can find it relatively easy to improve water use efficiency (Raftelis 2005).

The design of a conservation-oriented rate structure for residential customers should take into account the responsiveness of water usage to water rates, which economists call price elasticity of demand (or price elasticity). Water price elasticity is usually negative, indicating that the price and the quantity demanded move in opposite directions such that an increase in price results in a decrease in quantity demanded. Price elasticity values between -1 and 0 characterize an inelastic demand, for which a change in price results in a smaller percentage change in the quantity demanded. For an inelastic demand, an increase in price results in an increase in the overall revenue. In contrast, a

price elasticity value less than -1 characterizes an elastic demand, for which an increase in the price results in a larger decrease in quantity demanded, thereby reducing total revenues.

According to Beecher et al. (1994), as well as the variety of studies conducted in recent years, the most likely price elasticity range for residential demand is -0.2 to -0.4 , which implies that an increase in water rates will lead to a relatively small reduction in water use, and hence, an increase in utility revenues. However, the price elasticity varies among regions, customer classes, water use categories, seasons, and time periods. It is recommended for utilities to estimate price elasticity using the data specific for their own customers. Generally, water demand for outdoor discretionary uses (such as lawn watering, car washing, and swimming pools) is more elastic than the demand for non-discretionary indoor water uses. Water demand of low-income customer groups is usually less elastic than the demand of high-income customer groups because low-income customers usually use less water for non-discretionary uses (Beecher et al. 1994). In Florida, there is less outdoor discretionary water use during late fall and winter when non-discretionary water uses decrease and the demand for water may be less responsive to price changes during that season. Other determinants of price elasticity (Beecher et al. 1994) include the following:

1. *Rate levels:* For lower rates, an increase in the rates from block to block would have a small effect on quantity demanded. The rates are low if the total water bill amounts to a very small share in the total household income. Note that in periods of high inflation, it is important to focus on real water rates (i.e., rates adjusted for inflation).
2. *Environmental awareness and attitudes:* More environmentally-oriented customers may be more responsive to water conservation signals sent through water rates, which make educational programs an especially important component in utilities' water efficiency and conservation programs.
3. *Other conservation programs:* For example, a combination of conservation pricing and water quantity restrictions (i.e., reduction in the number of weekdays residents are allowed to irrigate) can lead to more significant reductions in water use than conservation pricing alone (Kenney et al. 2008).
4. *Time period:* Water demand is usually more price-elastic in the long run (about five years or longer) than in the short run. In the long run, customers have the

opportunity to adapt to higher prices by making their appliances and outdoor irrigation methods more water efficient.

5. *Availability of alternative water sources:* The demand for water will be more elastic if customers have access to alternative water sources such as private irrigation wells or reclaimed water. Since customers have an opportunity to switch to an alternative water source, demand for water from utilities will be more responsive to the rate changes.

Proportion of the Utility Costs Recovered through Fixed Versus Commodity Charges

Inverted block, flat, uniform, declining block, and other rate structures are all linked to the amount of water used by customers, and are referred to as commodity charges (alternatively, such rates can be referred to as volumetric or usage charges). In addition to commodity charges, utility companies also impose fixed charges that are the same for all customers within a certain customer class, and that are not directly linked to the amount of water used by the customers. For residential customers, the fixed monthly charges usually cover utilities' costs of metering, billing, customer service, and some capital-related cost; however, some utilities include payment for some minimum level of usage into the fixed charge, and in this way recover a part of their water withdrawal and delivery costs. For example, GRU charges residential customers a fixed monthly charge of \$9.00, based on the cost of service to provide metering, meter reading, billing, and customer service (GRU 2013).

American Water Works Association suggests that along with the commodity rate structure, utilities should design and evaluate their conservation-oriented water rates based on the proportion of the utility costs recovered through fixed charges versus commodity charges (Beecher et al. 1994). A higher proportion of costs recovered through fixed charges translates into higher fixed charges as a proportion of total customers' monthly bills, and diminishes the effect of the inverted block volumetric rates on customers' water uses.

Wastewater charges applied by many utilities, based on non-discretionary water usage, can also distort the conservation price signal sent by the inverted volumetric water rates to the customers. For example, in 2013–2014, GRU charges residential customers a wastewater charge of \$5.85 per thousand gallons, in addition to the flat rate of \$7.85 per billing period. Since wastewater is not metered,

GRU estimates monthly wastewater volume based on the amount of water a household uses for non-discretionary uses, specifically, based on the winter maximum water usage (estimated as the average daily consumption used in January and February times 30.4; January and February are selected since the customers generally do not irrigate their lawns during these months). Wastewater bill is based on monthly water usage or the winter maximum water use, whichever is lower (GRU 2013). Such wastewater charges effectively increase water rates for non-discretionary water usage.



Credit: Tyler Jones, UF/IFAS

Communication of the Price Signal through Consumer Billing

The third criterion suggested by the American Water Works Association to design and evaluate conservation pricing is the effective communication of the price signal through consumer billing (Beecher et al. 1994). To influence water demand, the conservation pricing must be understood by customers. Households should be able to estimate changes in their water bills as a result of increases in water usage. Many Florida utility companies describe their water rates on their websites and/or through newsletters to their customers. However, this information is often limited. For example, the survey of customers of sixteen Florida utilities, conducted by Whitcomb (2005), showed that 39 percent of respondents are not knowledgeable about water rate structures (i.e., number, size, and prices of the blocks). At the time of the survey, only five of the sixteen participating utilities printed their water rates on their bills, which partially explain this lack of customer knowledge (Whitcomb 2005).

Conclusions

In conclusion, the pricing objectives of a water utility are not exclusively based on the efficient use of water and water conservation. Other pricing objectives can include financial viability of the utility over time, revenue stability,

competitiveness and economic development, equity and fairness toward customers, legality and litigation potential, and difficulty of implementation and management of a pricing structure (Green and Yingling 2007; Raftelis 2005). Because these pricing objectives can conflict with one another, conservation pricing can only help achieve some of the objectives. Conservation pricing promotes efficient use of water resources, allows utilities to postpone costly development of new water sources, and reduces incremental facility capacity and peak demand (specifically, seasonal or time-of-use rates). Seasonal and time-of-use rates may increase the use of existing facilities during non-peak periods and improve the efficiency of available capacity use (Raftelis 2005). On the other hand, conservation pricing can lead to revenue instability due to the shift of cost recovery from fixed charges to less predictable volumetric charges. To ensure a stable stream of revenues to cover costs and meet revenue requirements, utilities can save any revenue surplus during periods of high revenues to cover costs during periods of low revenues (Beecher et al. 1994). For example, GRU maintains a rate stabilization fund to smooth revenue variations associated with variations in demand and billing (Richardson 2008). Also, high unit rates for large-volume customers increase the risk of utilization of alternative water sources (i.e., private wells), which can decrease a utility's revenue and increase the overall water withdrawals in the area, impacting other water uses such as environmental and recreational uses. For example, customers had access to surficial irrigation wells in the service areas of twelve out of sixteen Florida utilities examined by Whitcomb (2005).

Conservation rates can be complex, require advanced metering capability and cost-tracking methodologies, and may be more costly to administer. Some economists argue in favor of water rates that accurately reflect service costs. Since the cost of delivering an additional unit of water from an existing water source often decreases with the volume of water purchased, economically efficient water rates would imply a rate reduction with the purchase volume (not increase, as in water conservation rates) (Raftelis 2005).

The tradeoffs associated with conservation pricing demonstrate the need for a careful examination of all the possible effects of conservation pricing structure on utilities' revenue streams and customers' water uses. Such examination requires reliable data on customers' responses to different price signals. The analysis of possible price structures should involve representatives from all the key areas of utility companies. Many utilities involve customers in the rate-setting process to elicit additional information

and increase support for the final rate structure adopted (Raftelis 2005).

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Table 1. Summary of alternative conservation rate structures.

Rate	Definition
Inverted (Inclining) Block	Unit price for the last unit of water used increases as usage increases from one water usage block to the next
Seasonal	Water rates are higher during the season of higher demand (usually during peak outdoor usage) than during the off-peak season
Time-of-Use	Water rates are higher during peak hours or days of the week
Excess-Use	Price are higher for above-average use
Penalties	Charges customers pay for exceeding allowable limits of water use
Indoor-Outdoor	Prices for indoor use are lower than prices for outdoor use
Water Budget	Inverted block rate structure in which the blocks are defined uniquely for each customer, based on an efficient level of water use for that customer
Sliding-Scale	Unit price for all water use increases as water usage increases
Scarcity Pricing	Cost of developing new supplies is paid by existing users
Spatial Pricing	Users pay for the actual cost of supplying water to their establishment
Source: Beecher et al. (1994); Mayer et al. (2008); Raftelis (2005); Stallworth (2003).	

Table 2. Example of inverted (including) block water rate structured used by GRU for residential customers in 2013–2014.

Water Use Blocks	Rates*
First 6,000 gallons	\$2.50 per 1,000 gallons
Over 6,000 but less than 20,000 gallons	\$3.75 per 1,000 gallons
Over 20,000 gallons	\$6.00 per 1,000 gallons
Irrigation water service:	
First 14,000 gallons	\$3.75 per 1,000 gallons
Over 14,000 gallons	\$6.00 per 1,000 gallons
Source: GRU (2013).	
* Additional fees include connection fee, fixed monthly charge (\$9.00), franchise fee for the city of Alachua (6%), city or county taxes (10% each), and water surcharge (25%) for customers outside of the city of Gainesville. In addition, the following wastewater charges apply: fixed (\$7.85/month), usage (\$5.85/1,000 gallons based on monthly water usage or winter maximum water use, whichever is lower); and surcharge (25%, outside of the city of Gainesville). Different rate structures apply for non-metered well discharge (flat) and reclaimed water use.	



Certified Public Accountants
& Consultants

Columbia Power & Water Systems
Water Cost of Service Study
12 Months Ending June 2023
Presented March 13, 2024

Typical Objectives of Rate Study

1. Revenue Stability and Sufficiency
2. Fairness and Equity
 - Fair is related to cross subsidies
 - Equity is related to $\text{Price} = \text{Cost}$
3. Ability to Pay
4. Simplicity (Admin & Cust Understanding)
5. Defensible

Overview of Process

1. Determine Revenue Requirements
 - How much does the system need to operate?
2. Develop Revenue Requirements by Rate Class
 - How much does the system need to recover by rate class?
3. Develop COS Rates and Design Acceptable Rates
 - How does the system best recover the needed revenues?
4. Implement Rate Changes

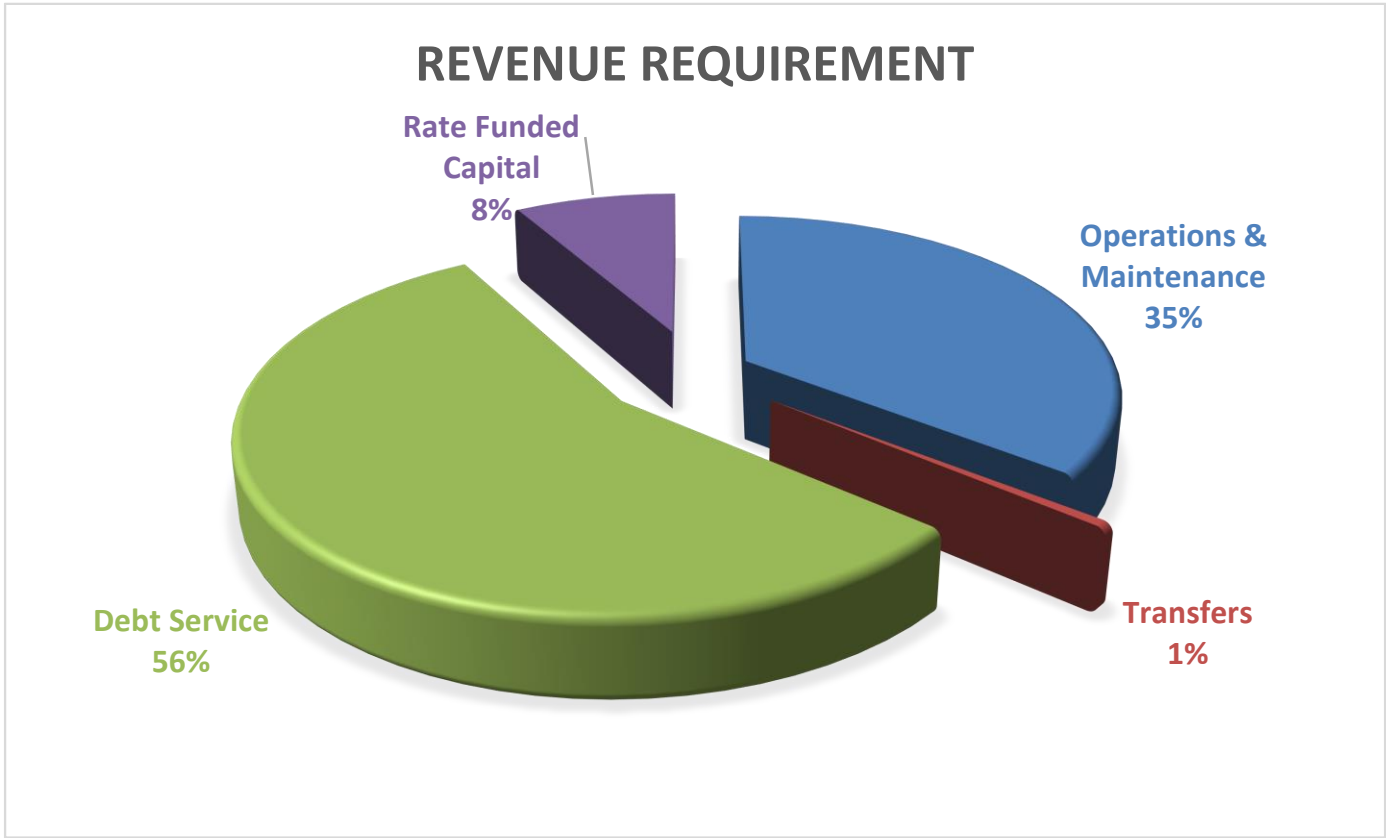
Cash Method – System Revenue Requirement

TOTAL REV. REQ.	
Operations & Maintenance	\$ 10,733,501
Plus: Transfers	\$ 162,389
Plus: Debt Service	\$ 16,817,900
Plus: Rate Funded Capital	\$ 2,500,000
Total Revenue Requirement	<u>\$ 30,213,790</u>
Less: Other Revenue	<u>\$ 547,635</u>
Rate Requirement	<u>\$ 29,666,155</u>

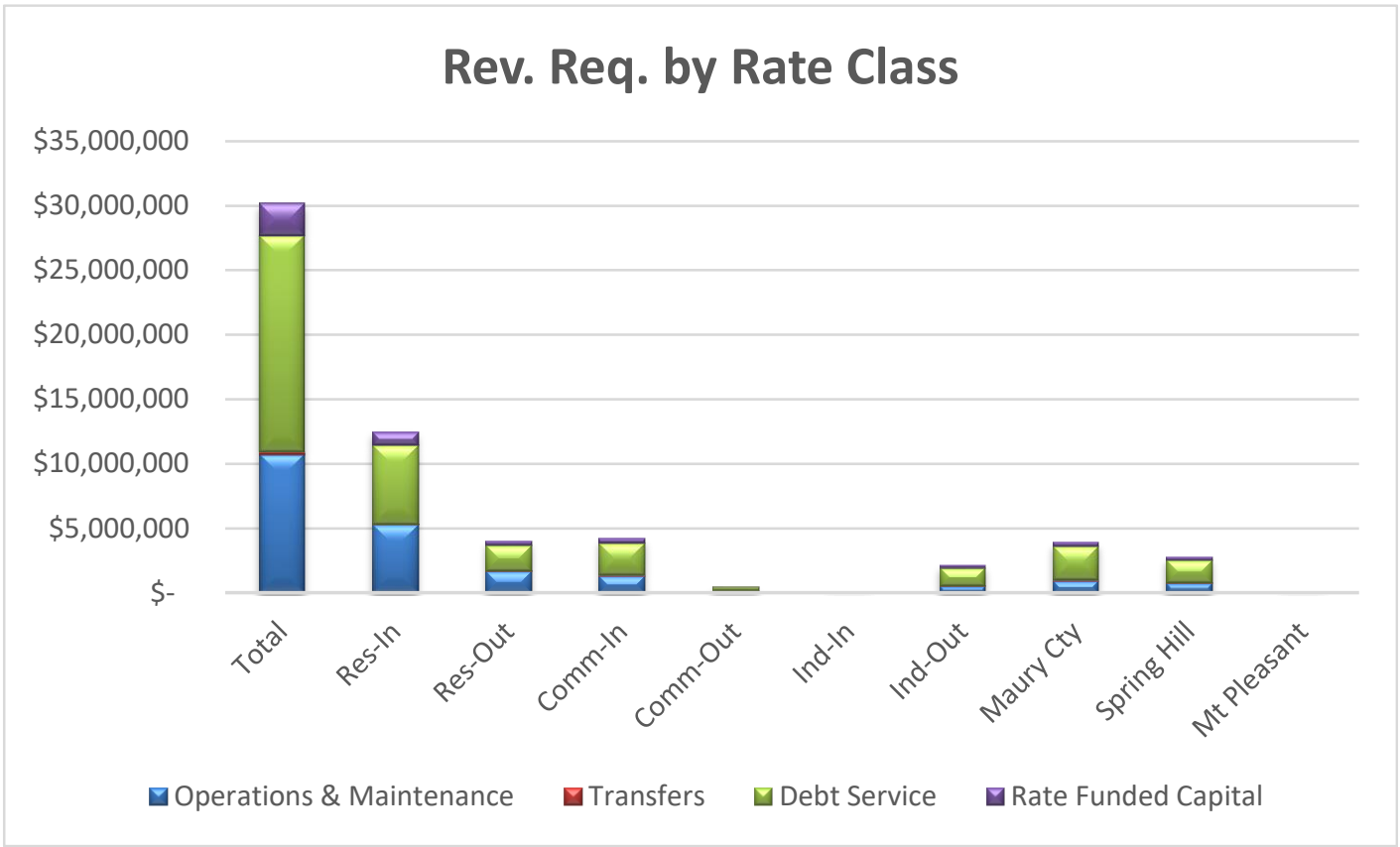
*O&M aligned with 2025 operating budget

*Debt Service includes the projected debt service in FY2029

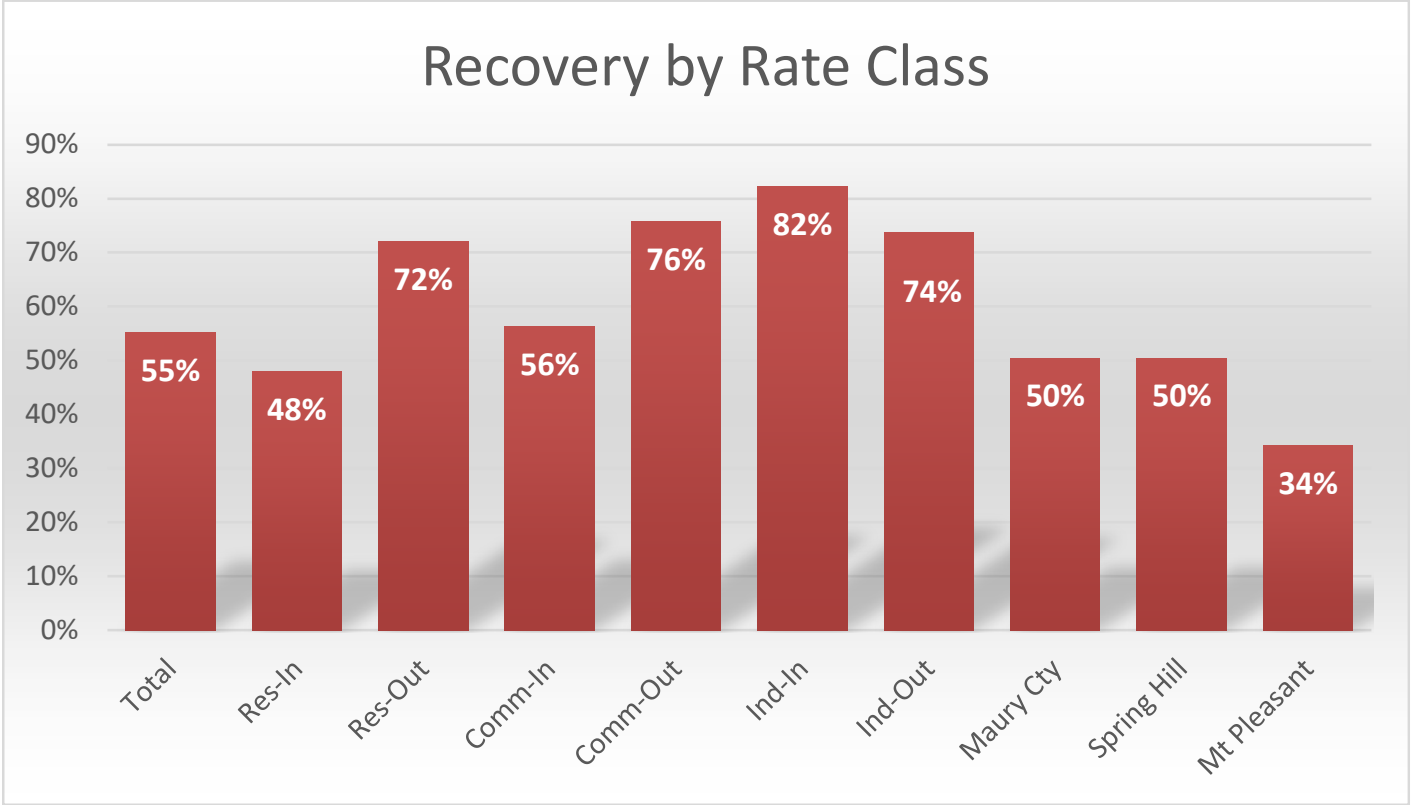
Components of Revenue Requirement



Revenue Requirement by Class



Recovery By Class



Considerations, 1 of 4

Estimated Annual Target	
Targeted Rate Requirement	\$ 29,666,155
Current Rate Revenue	<u>\$ 16,129,432</u>
Current Recovery	<u><u>\$ (13,536,723)</u></u>
Targeted Annual Increase	\$ 2,707,345
Organic Growth (5%)	\$ 806,472
Capacity Fee Adjustments	<u>\$ 250,000</u>
Annual Rate Increase Needed	<u><u>\$ 1,650,873</u></u>

Considerations, 2 of 4

- The water system is currently in outstanding financial condition.
- Well positioned to take a proactive approach relative to the upcoming capital projects and the associated debt service.
- Of the \$390,000,000 in capital projects, approximately \$162,000,000 (42%) will be spent to rehab/replace existing infrastructure.
- The estimated \$15,800,000 of additional annual debt service will be a “fixed” expense. It is appropriate to align fixed expenses with fixed revenue.

Considerations, 3 of 4

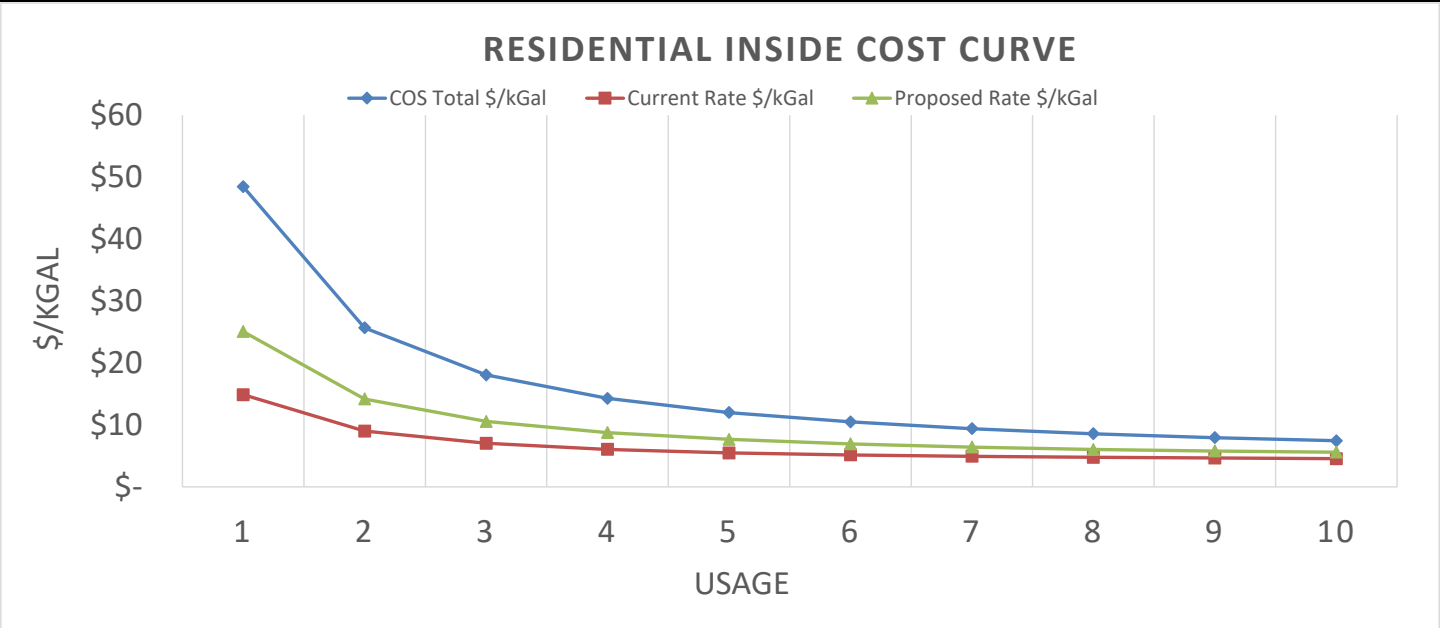
- Consider a two-year rate plan with the following adjustments to your retail customers:
 - Year 1
 - Residential - \$5.00 increase to customer charge.
 - Commercial/Industrial - \$10.00 increase to customer charge
 - Year 2
 - Residential - \$5.00 increase to customer charge.
 - Commercial/Industrial - \$10.00 increase to customer charge

Considerations, 4 of 4

- In year one, consider introducing a third tier on your residential and commercial inclining block rates.
 - Residential/Commercial Inside –
 - 1st 8,000 gallons - \$3.30
 - 8,000 – 20,000 gallons - \$3.80
 - Over 20,000 gallons - \$4.05
 - Residential/Commercial Outside –
 - 1st 8,000 gallons - \$4.30
 - 8,000 – 20,000 gallons - \$4.80
 - Over 20,000 gallons – \$5.05
- At full implementation, based on FY23 billing statistics, this should create approximately \$3,860,000 in additional annual revenue

Residential Rate Curve, Full Implementation

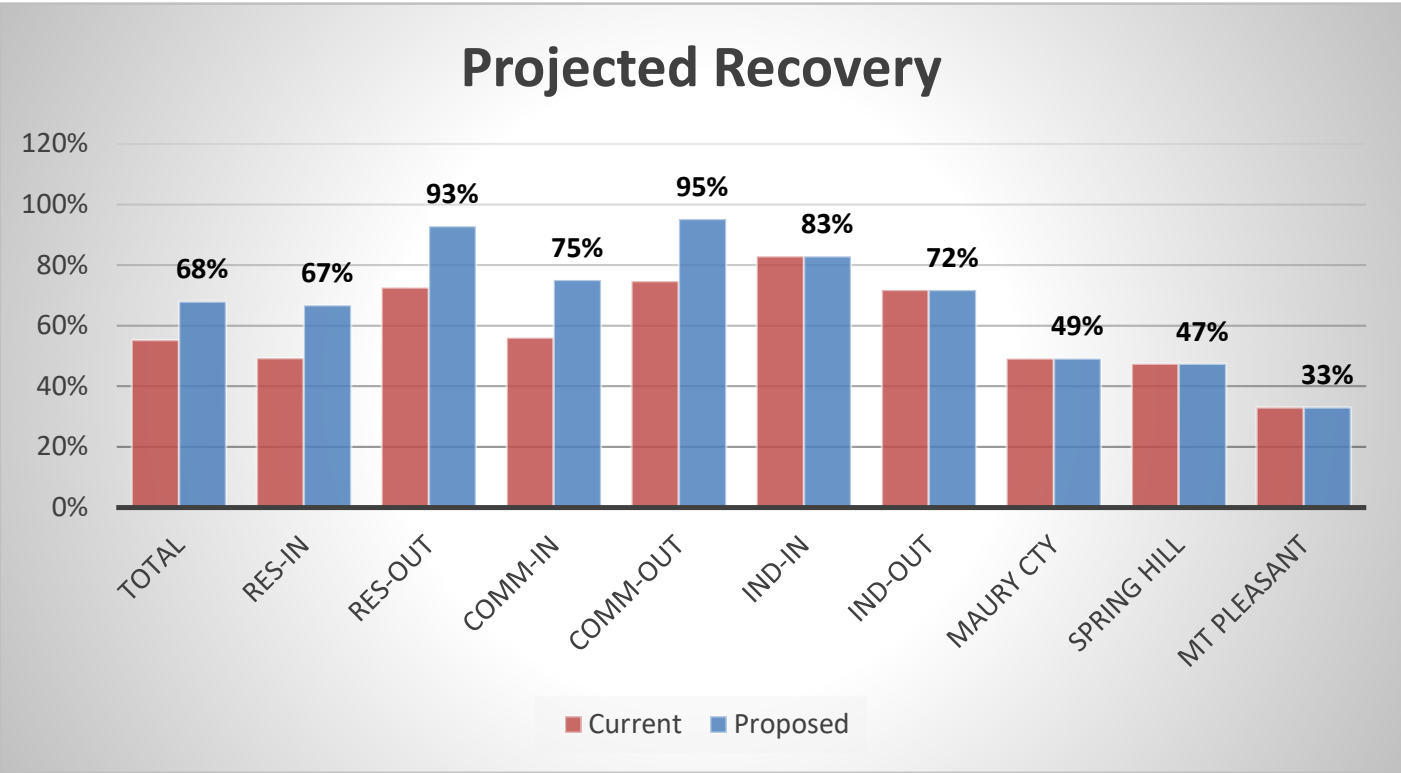
	Cost of Service	Current Rate	Proposed Rate	Difference	
Customer Charge	\$ 45.56	\$ 11.75	\$ 21.75	\$ 10.00	
0 - 5,000 Gallons	\$ 2.87	\$ 3.10	\$ 3.30	\$ 0.20	0 - 8,000 Gallons
Over 5,000 Gallons		\$ 3.60	\$ 3.80	\$ 0.20	8,000 - 20,000 Gallons
		\$ 3.60	\$ 4.05	\$ 0.45	Over 20,000 Gallons



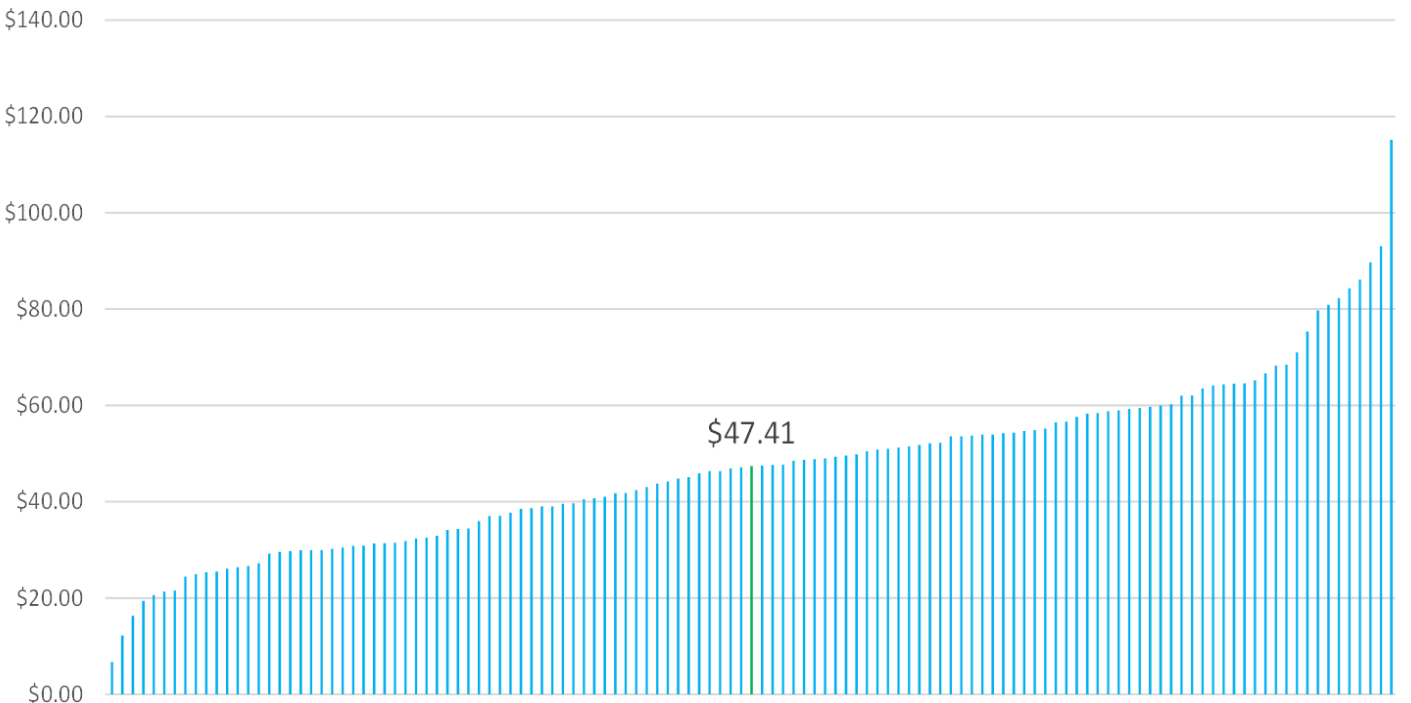
Residential Rate Curve, Full Implementation

Usage		COS Rates		Current Rates		Proposed Rates		Monthly Change		Daily Change		Current \$/kGal		Proposed \$/kGal	
	1	\$	48.43	\$	14.85	\$	25.05	\$	10.20	\$	0.34	\$	14.85	\$	25.05
	2	\$	51.30	\$	17.95	\$	28.35	\$	10.40	\$	0.35	\$	8.98	\$	14.18
	3	\$	54.17	\$	21.05	\$	31.65	\$	10.60	\$	0.35	\$	7.02	\$	10.55
	4	\$	57.04	\$	24.15	\$	34.95	\$	10.80	\$	0.36	\$	6.04	\$	8.74
	5	\$	59.91	\$	27.25	\$	38.25	\$	11.00	\$	0.37	\$	5.45	\$	7.65
	6	\$	62.78	\$	30.85	\$	41.55	\$	10.70	\$	0.36	\$	5.14	\$	6.93
	7	\$	65.65	\$	34.45	\$	44.85	\$	10.40	\$	0.35	\$	4.92	\$	6.41
	8	\$	68.52	\$	38.05	\$	48.15	\$	10.10	\$	0.34	\$	4.76	\$	6.02
	9	\$	71.39	\$	41.65	\$	51.95	\$	10.30	\$	0.34	\$	4.63	\$	5.77
	10	\$	74.26	\$	45.25	\$	55.75	\$	10.50	\$	0.35	\$	4.53	\$	5.58
Average Usage					4,870										

Projected Recovery By Class

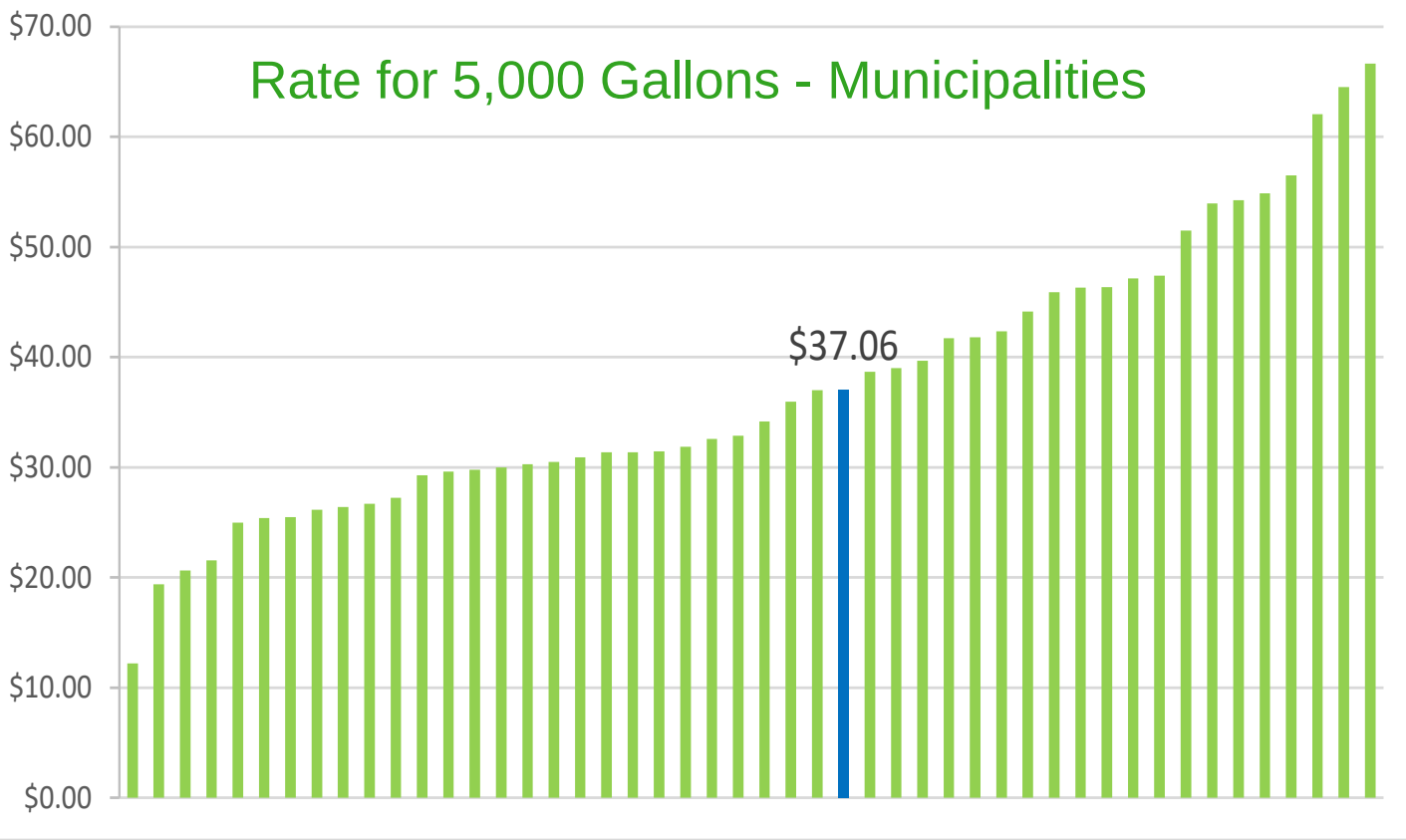


Rate for 5,000 Gallons All Participants



TAUD Rate Survey, 2 of 2

Rate for 5,000 Gallons - Municipalities



Future Considerations

- Consider establishing a customer charge based on meter size within each rate class.
- Consider reducing the current policy of maintaining a 2.0 Debt Service Coverage Ratio.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Liz Bermudez, Executive Secretary, liz@columbiatn.com 931.560.1510

AGENDA ITEM TITLE:

PUBLIC HEARING ON ORDINANCE NO. 4512 - AN ORDINANCE TO AMEND TITLE 18, CHAPTER 3 OF THE COLUMBIA MUNICIPAL CODE BY AMENDING 18-310 TO INCREASE THE WATER IMPACT FEE UPON NEW WATER CUSTOMERS TO SERVE THE DEMAND FOR WATER SYSTEM CAPITAL FACILITIES AND PUBLIC IMPROVEMENTS

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: CPWS has requested the impact fee schedule be increased across the board over a 3-year period. CPWS President and Chief Executive Officer Jonathan Hardin will be present to explain the request.

ATTACHMENTS: Staff Report, Ordinance No. 4512, Supporting Documentation.

**AN ORDINANCE TO AMEND TITLE 18, CHAPTER 3 OF THE
COLUMBIA MUNICIPAL CODE BY AMENDING 18-310 TO
INCREASE THE WATER IMPACT FEE UPON NEW WATER
CUSTOMERS TO SERVE THE DEMAND FOR WATER SYSTEM
CAPITAL FACILITIES AND PUBLIC IMPROVEMENTS**

WHEREAS, new development in the City of Columbia requires an increase in the capacity of the City's water system to serve the new development; and

WHEREAS, it is the intent of the City of Columbia to:

(A) promote the health, safety, and general welfare of the people of Columbia and accommodate orderly growth and development;

(B) provide for the imposition and collection of an impact fee upon new City water customers to serve the demand for water system capital facilities and public improvements; and

(C) ensure that new water customers contribute their proportionate share of the cost of capital expenditures necessary to provide public facilities and infrastructure that has a rational nexus to the proposed development; and

WHEREAS, the City of Columbia has the authority to impose a water impact fee pursuant to Private Chapter 194, Senate Bill 2905, a private act passed by the Tennessee Legislature on April 20, 1994. The private act was approved by the Columbia City Council by a two-thirds majority on October 25, 1994, proclaimed by the Mayor of the City and certified by the Tennessee Secretary of State;

WHEREAS, by Ordinance No. 4445 enacted on December 8, 2022, the current Water Impact Fee was enacted; and

WHEREAS, after additional consideration of the impact of new and upgraded cost providing potable water service studies that have been performed for the Board of Public Utilities, the Water Impact Fee should be increased to account for the increased costs.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY OF COLUMBIA, as follows:

Section 1: That the Columbia Municipal Code is hereby amended by replacing in its entirety Section B Title 18, Chapter 3, Section 18-310 of the

Municipal Code with new Section B (1) "Fee Assessment and Collection" as follows:

(A) Fee Assessment and Collection

(1) No building permit that is associated with a new or enlarged water meter shall be issued until the applicable water impact fee has been calculated and security ensuring payment has been provided based on the size and type of the water meter according to the following water impact fee schedules.

September 1, 2024

<u>Meter Size</u>	<u>Impact Fee</u>
3/4"	\$ 5,000.00
1"	\$ 8,400.00
2"	\$ 27,000.00
3"	\$ 84,000.00
4"	\$ 167,000.00
6"	\$ 417,000.00
8"	\$ 834,000.00
10"	\$1,434,000.00

July 1, 2025

<u>Meter Size</u>	<u>Impact Fee</u>
3/4"	\$ 5,500.00
1"	\$ 9,200.00
2"	\$ 30,000.00
3"	\$ 92,000.00
4"	\$ 184,000.00
6"	\$ 459,000.00
8"	\$ 917,000.00
10"	\$1,577,000.00

July 1, 2026

<u>Meter Size</u>	<u>Impact Fee</u>
3/4"	\$ 6,000.00
1"	\$ 10,000.00
2"	\$ 32,000.00
3"	\$ 100,000.00
4"	\$ 200,000.00
6"	\$ 500,000.00
8"	\$1,000,000.00
10"	\$1,720,000.00

Section 2: That Ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF THE
CITY OF COLUMBIA, TENNESSEE, This the _____ day of _____, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY -CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration _____

**RESOLUTION REQUESTING THAT THE CITY COUNCIL OF THE
CITY OF COLUMBIA, TENNESSEE CONSIDER FOR ADOPTING
AN ORDINANCE AMENDING TITLE 18, CHAPTER 3, SECTION 18-310,
OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA BY REPLACING
IN ITS ENTIRETY PRESENT SECTION B “FEE ASSESSMENT AND COLLECTION” AND
APPROVING A NEW SECTION B(1)**

WHEREAS, by Resolution dated April 24, 2024, the Board of Public Utilities (the “Board”) of the City of Columbia, Tennessee (the “Municipality”), found that it was necessary and in the public interest to seek an increase to its water impact fee; and

WHEREAS, the Board after additional consideration of the impact of new and upgraded cost providing potable water service studies that have been performed for the Board, it requests that the Municipality adopt and approve the attached amended Ordinance which replaces in its entirety Section B Title 18, Chapter 3, Section 18-310 of the Municipal Code with new Section B(1) “Fee Assessment and Collection”; and

WHEREAS, a copy of the amended proposed Ordinance is attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Public Utilities of the City of Columbia, Tennessee, that this Board hereby recommends to the City Council that the City Council approve the Amended Ordinance, in substantially the form as attached hereto, to amend Title 18, Chapter 3, Section 18-310 of the Municipal Code of the City of Columbia by replacing in its entirety present Section B(1) and adopting and approving new Section B(1).

BE IT FURTHER RESOLVED, that a duly certified copy of this Resolution be immediately transferred to the City Council of the Municipality.

APPROVED AND ADOPTED, this the 24th day of April, 2024.

ATTEST:

CHAIRMAN

SECRETARY



Memorandum

To: Board of Public Utilities
From: Jonathan Hardin 
Date: April 24, 2024
Re: Proposed Water Impact Fee Action

The CPWS Board must provide a recommending resolution to the City Council of Columbia, Tennessee for adopting changes to the impact fee structure to better have growth pay for growth. CPWS management, in close collaboration with Jackson Thornton, IDG and legal counsel, provides for consideration the attached resolution.

The resolution recommends three impact fee increases of \$500 per single family unit (SFU) equivalent, and CPWS would desire to implement the first \$500 increase on August 1, 2024, after two readings with the City Council and a 30-day notice period. The next two impact fee increases would occur on July 1, 2025 (FY26), and July 1, 2026 (FY27).

These increases are to the cost of a ¾" meter service representing one SFU equivalent. The cost of larger meters is normalized to the number of SFU equivalents that particular meter can serve up to a 10" meter. Tables of meter sizes, and the amount to reserve that meter's capacity, are attached to the resolution. The purchase of a meter remains is based on the water system's ability to serve through hydraulic review of each meter request.

Jackson Thornton's last presentation is provided and will be used to educate the City Council on the need for this action prior to the City Council vote.

CPWS management recommends the attached resolution for increases to the impact fee structure over the next three fiscal years be approved and submitted to the City Council of Columbia (TN) for their consideration and vote.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: PUBLIC HEARING ON ORDINANCE NO. 4513 - AN ORDINANCE AMENDING ORDINANCE NO. 4176 BY REPEALING AND REPLACING THE ACCESS MANAGEMENT PLAN WITH A NEW ACCESS MANAGEMENT PLAN

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend Ordinance 4176, with changes concerning Access Management, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero. The required notice of Public Hearing was advertised on June 18, 2024 and again on July 24, 2024 in The Daily Herald.

ATTACHMENTS: Staff Report, Ordinance 4513, Exhibit A, Staff Markup.

**AN ORDINANCE AMENDING ORDINANCE NO. 4176 BY REPEALING AND
REPLACING THE ACCESS MANAGEMENT PLAN WITH A NEW ACCESS
MANAGEMENT PLAN**

WHEREAS, the City of Columbia Municipal Planning Commission has been established and exercises the planning power as provided under the provisions of Tennessee Code Annotated §13-3-102 and §13-3-301 thru §13-3-304. In addition, the City of Columbia has an approved Zoning Ordinance adopted under the provisions of Tennessee Code Annotated §13-7-201; and

WHEREAS, the Columbia Municipal Planning Commission has reviewed revisions to the Connect Columbia Plan regarding the Access Management Plan for the City of Columbia, Tennessee.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That the Connect Columbia Plan, regarding the Access Management Plan for the City of Columbia, Tennessee, Tennessee be amended by repealing and deleting the current Access Management Plan and replacing such plan with a new Access Management Plan as described in Exhibit "A", which is attached hereto and incorporated herein by reference.

Section 2: This Ordinance is passed after review of Columbia Zoning Ordinance Section 8.5.20 by the Columbia Municipal Planning Commission, with a recommendation of approval, following a public hearing, on the 8th day of August, 2024, with notice of said hearing being given in The Daily Herald of Columbia, Tennessee, thirty (30) days or more before said hearing.

Section 3: This ordinance shall take effect thirty (30) days after passage by the City Council of the City of Columbia, Tennessee.

Section 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, This the 12th day of September, 2024.

CHARLES M. (CHAZ) MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



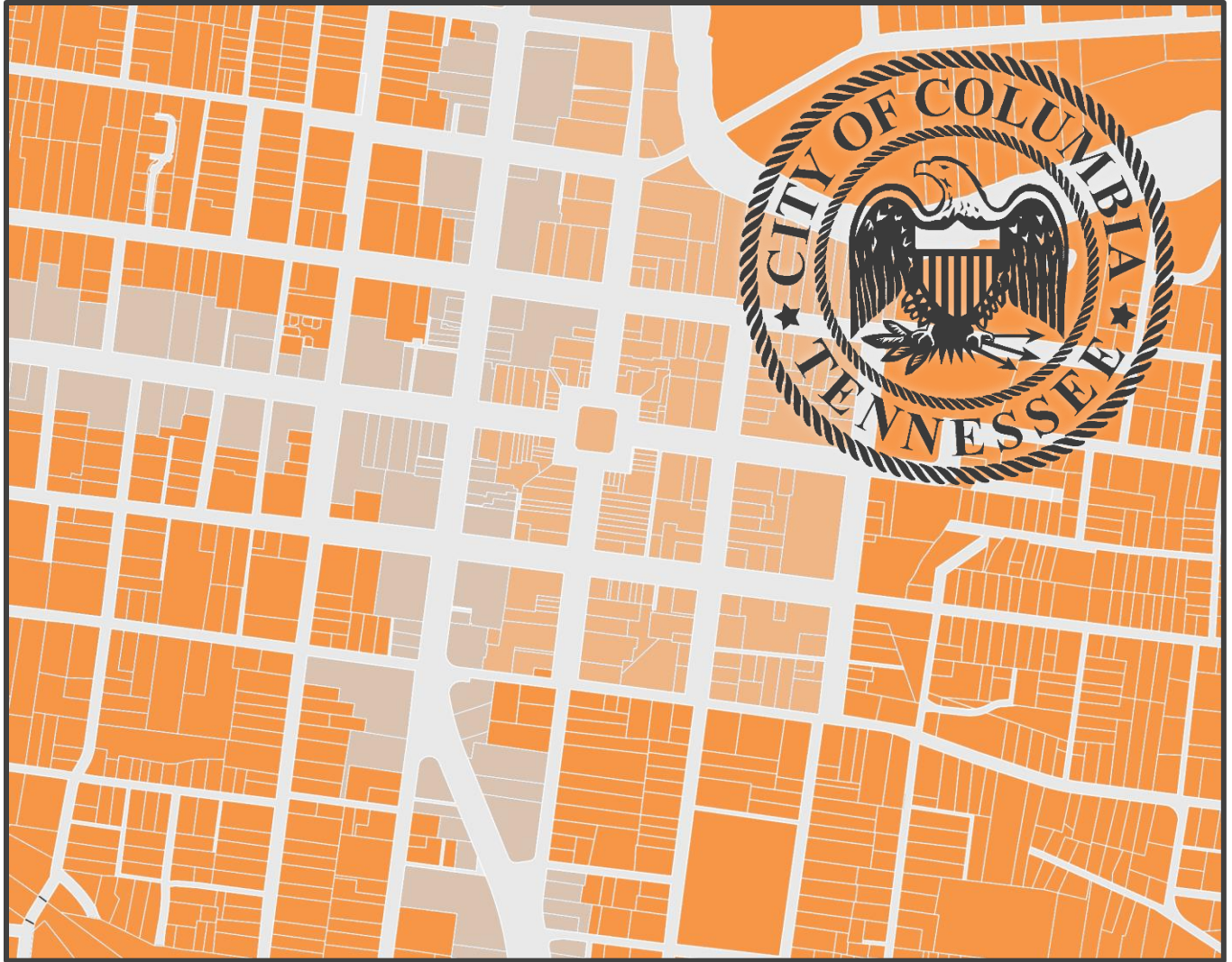
C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY, CITY MANAGER

Passed on 1st consideration: _____

Passed on 2nd consideration: _____



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, 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.

1.3.2 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.

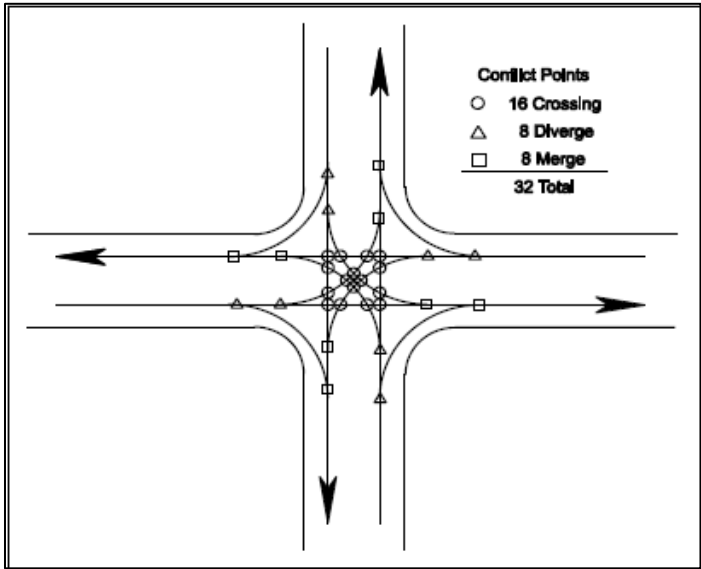
2.3 Ten Principles of Access Management

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.

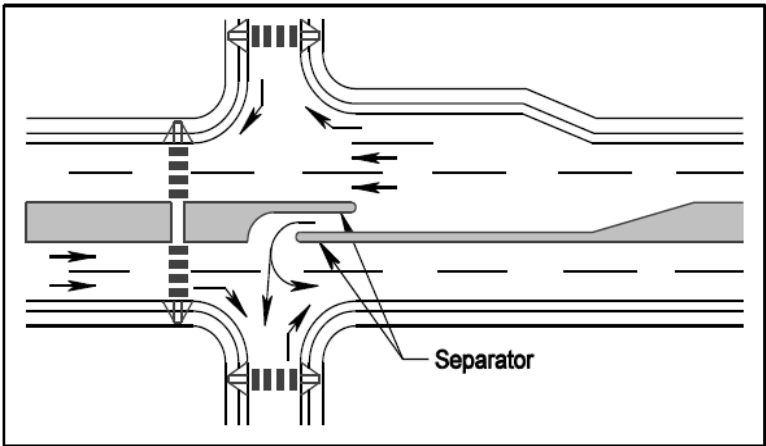
8. Remove Turning Vehicles from Through Traffic Lanes: Turning lanes reduce the severity and duration of conflicts between turning vehicles and improves the safety and efficiency of intersections.
9. Use Non-traversable Medians to Manage Left Turn Movements: Non-traversable medians and other techniques 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

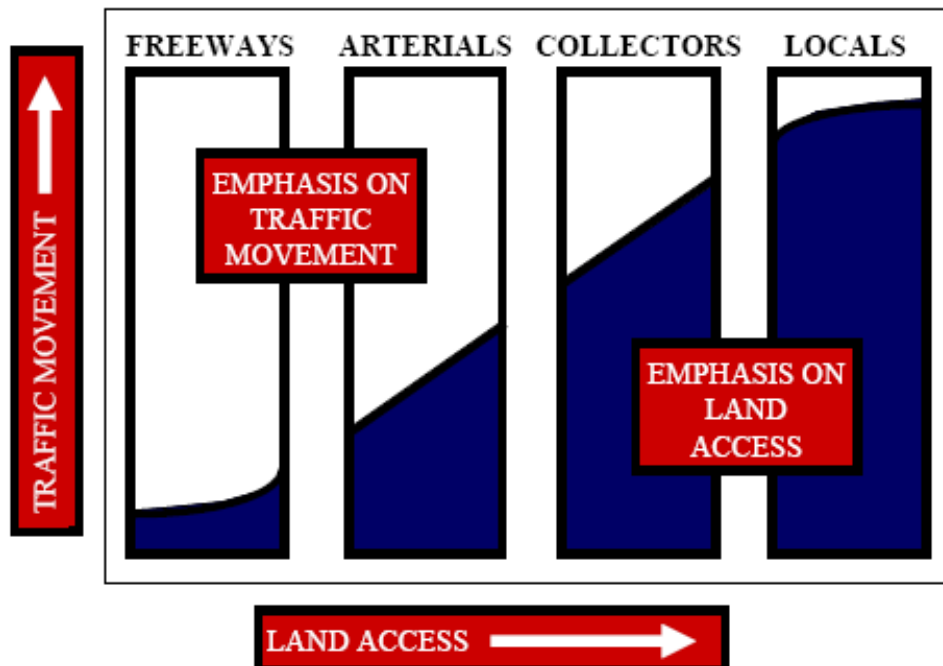
2.4 Roadway Function Classification

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 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.

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.

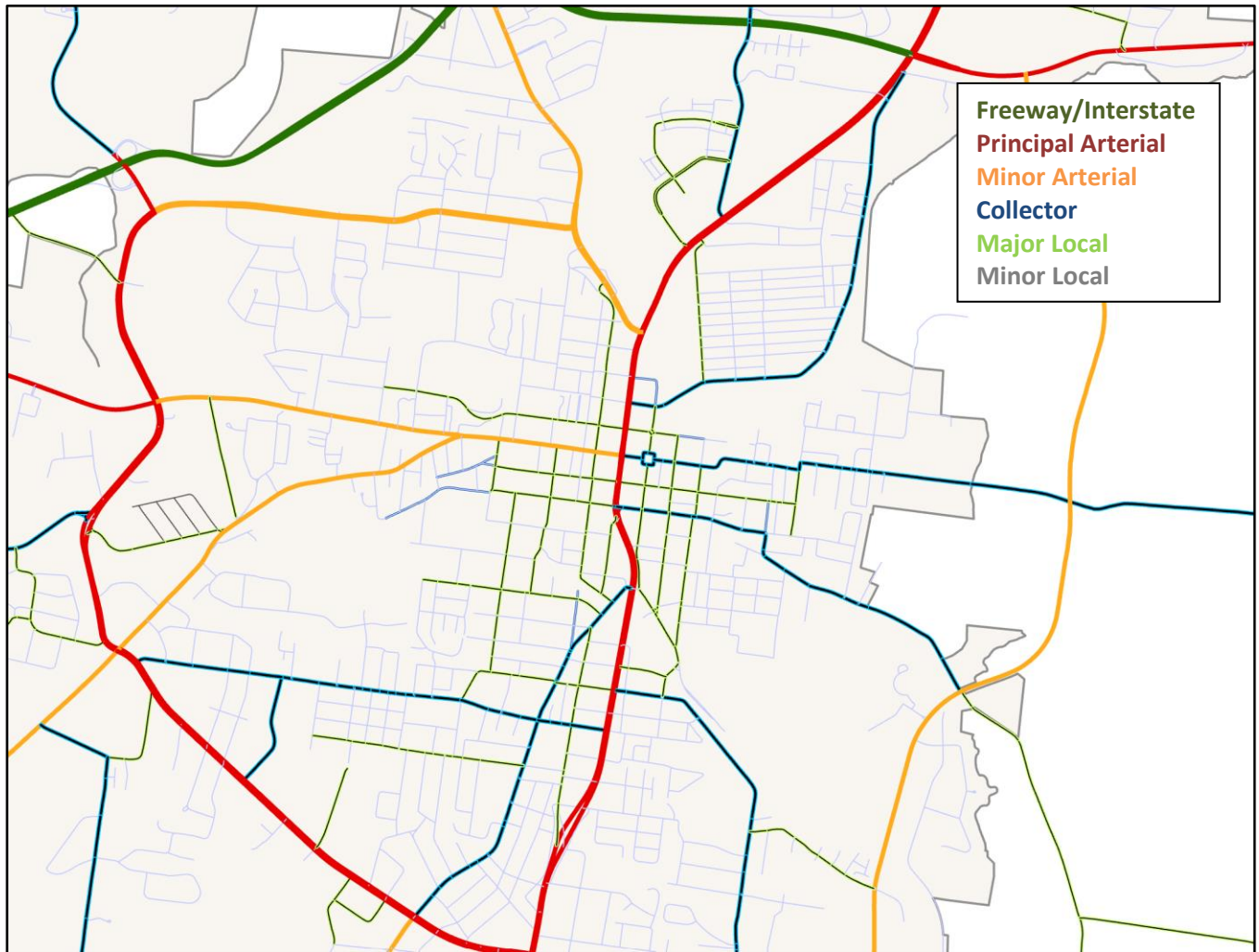
Major Local Street Classification

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

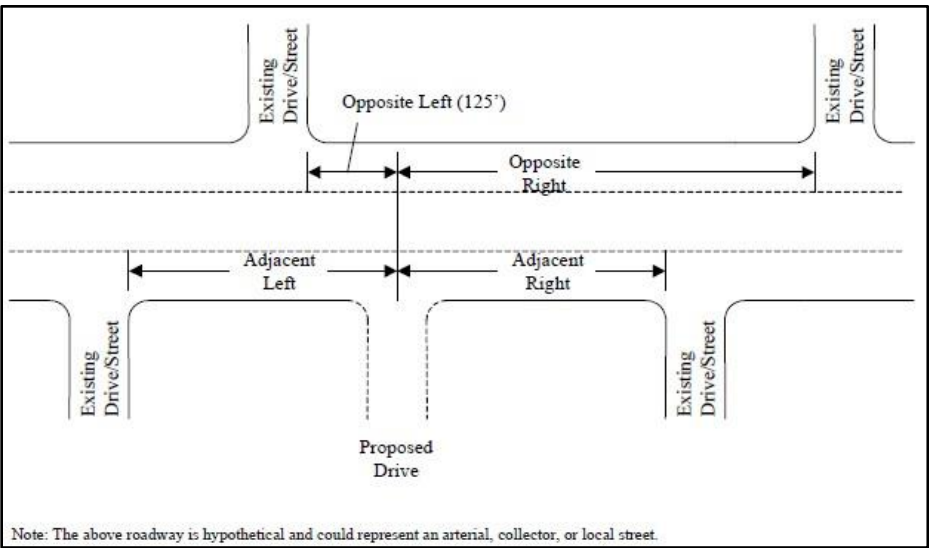


Table 2: Access and Driveway Spacing Requirements

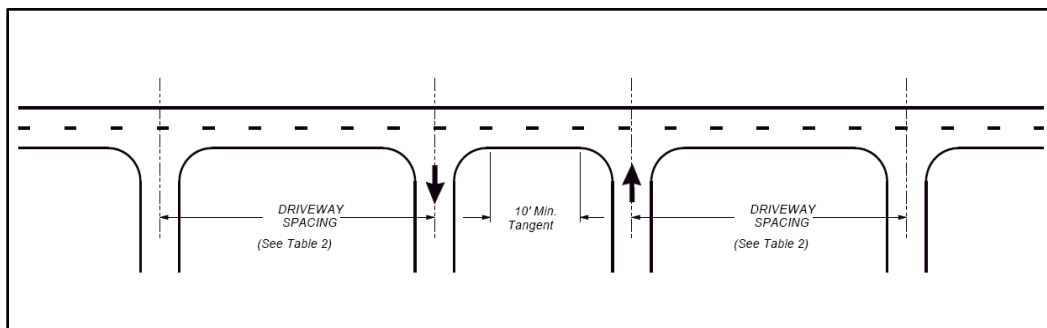
Functional Classification of Intersected Roadway	Distance (ft.)
Principal Arterial	440
Minor Arterial	330
Collector	220
Major Local	100
Minor Local, Non-Residential	50

**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

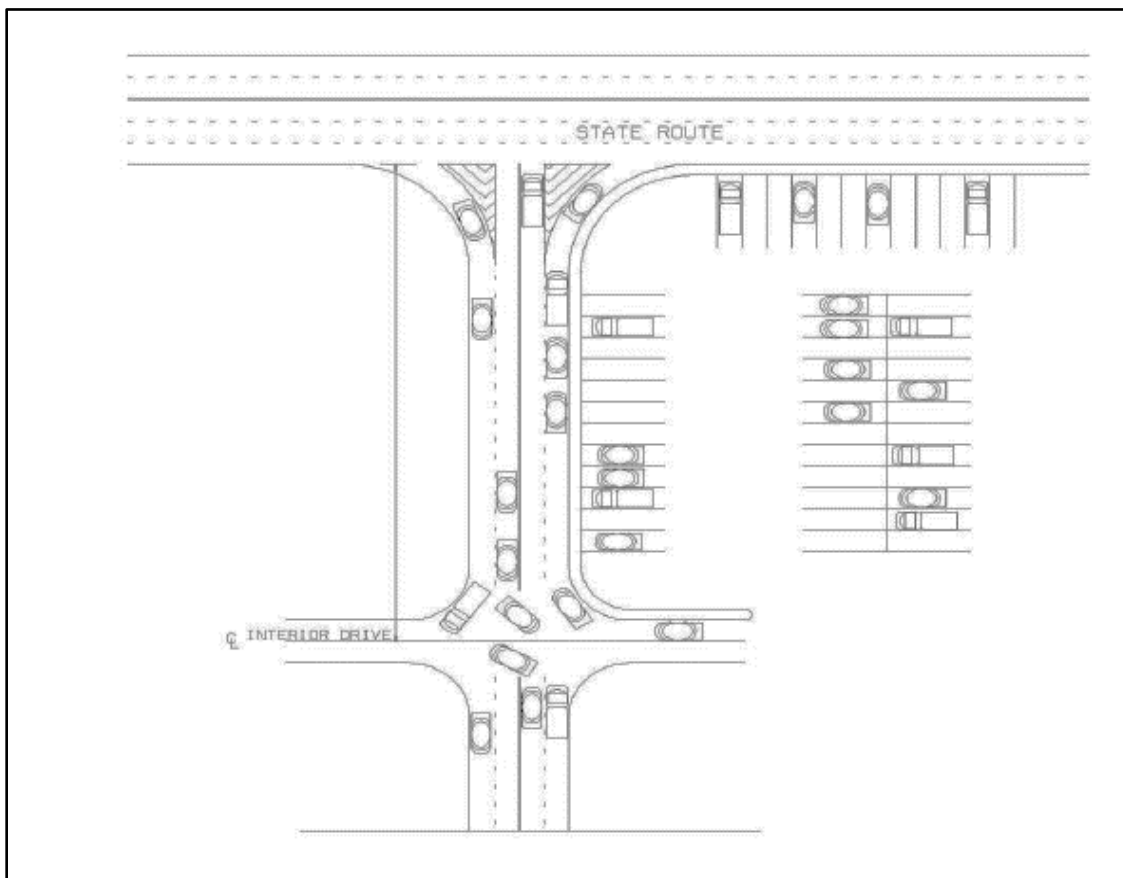


- D. The connection spacing requirements may be reduced in situations where they prove impractical, but in no case shall the permitted spacing be less than 80% of the applicable standard. Such a reduction in spacing requirements must still result, to the greatest extent possible, in uniform spacing between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

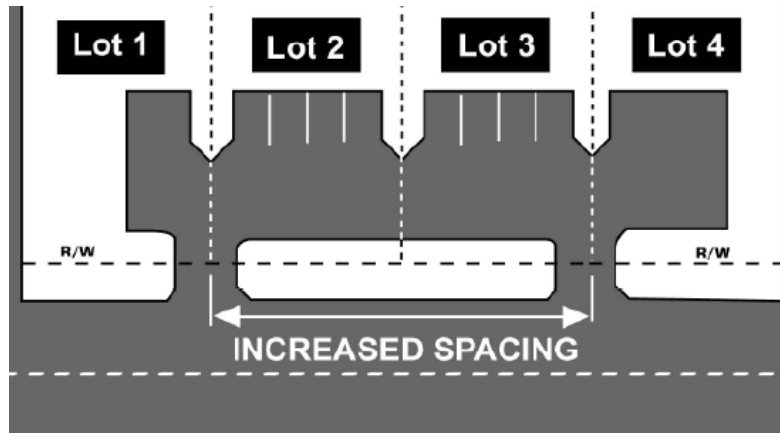
Figure 7: Placement of Interior Drives



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

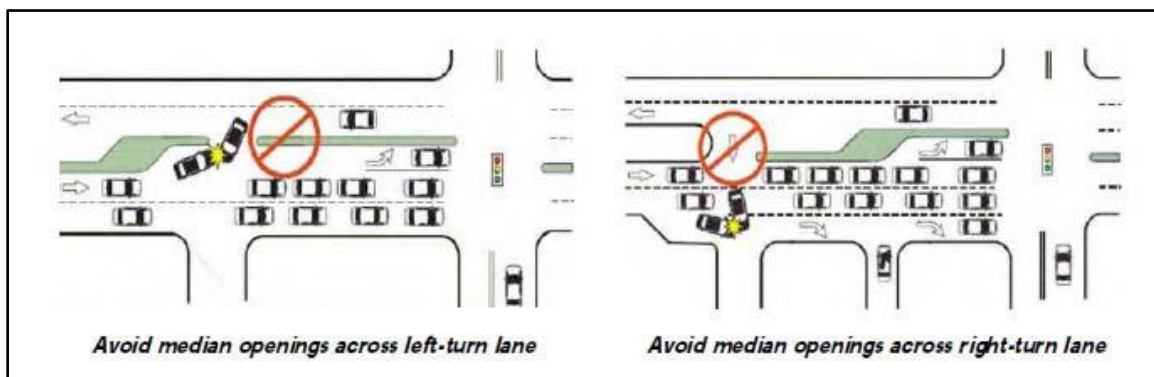
- A. New median openings or turn bays shall be allowed to provide access to a city street or to provide access to a private development only where the opening or turn bay can be constructed to satisfy the design standards set forth in this section. In no case shall median openings be located within the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

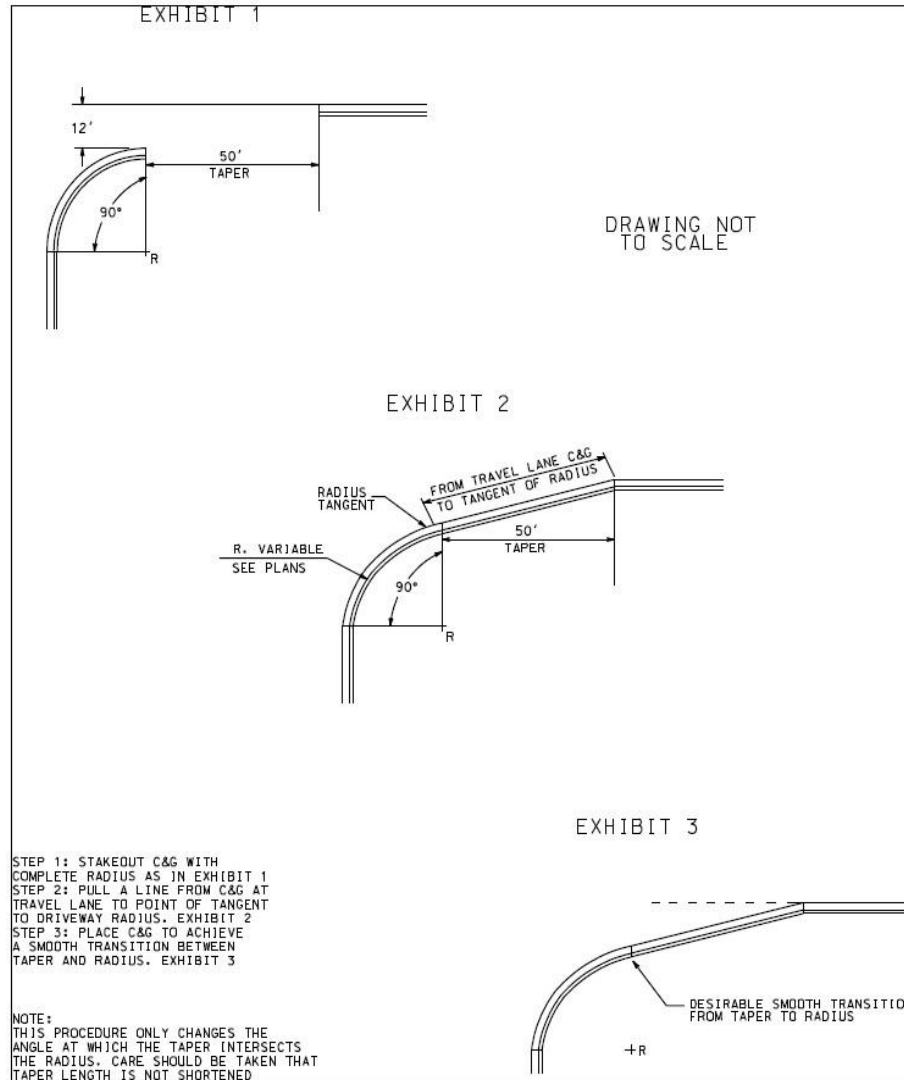
3.3.1 Deceleration Lanes

- 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

Accessed By Driveway	Intersecting Street		
	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

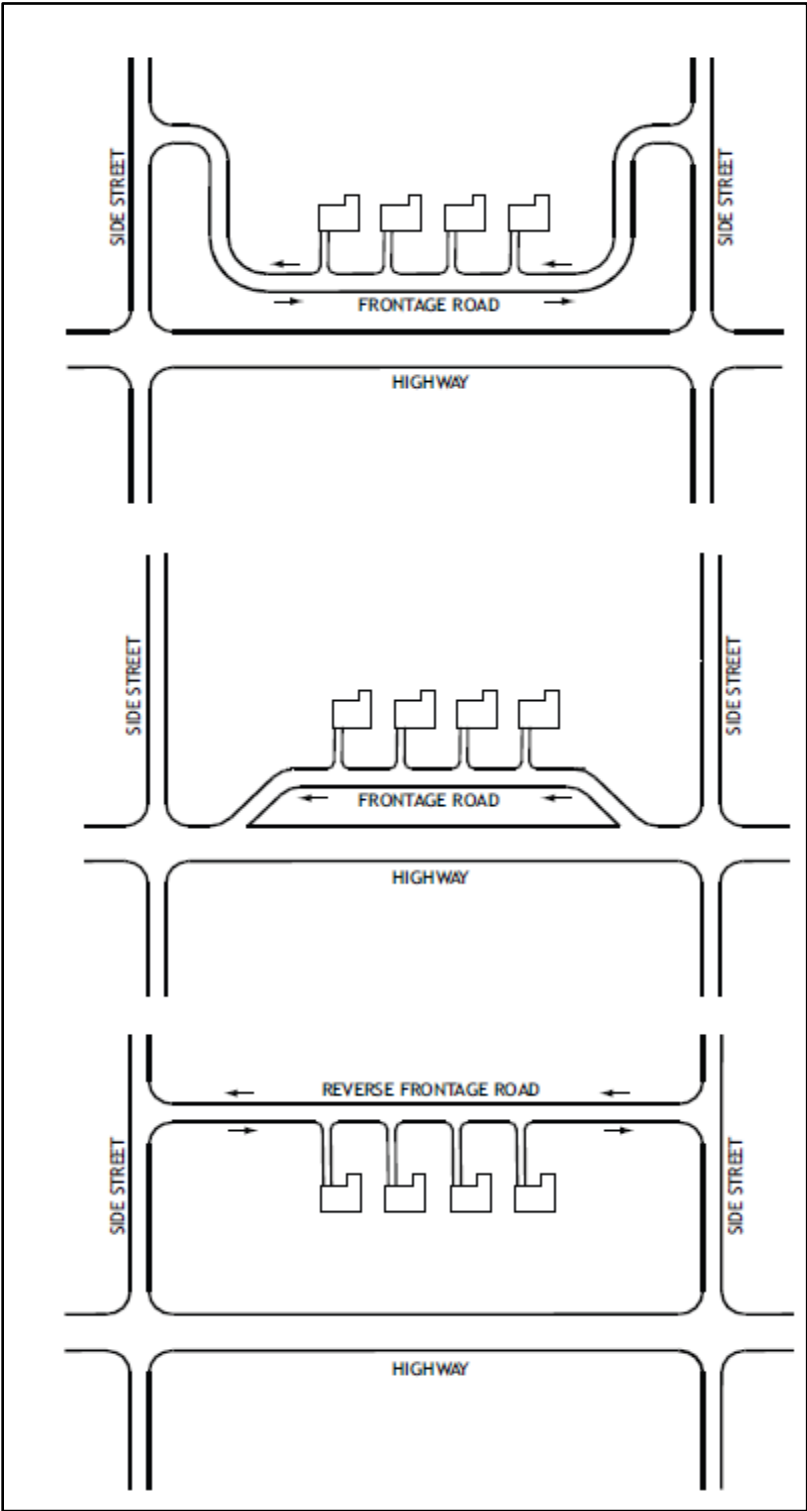
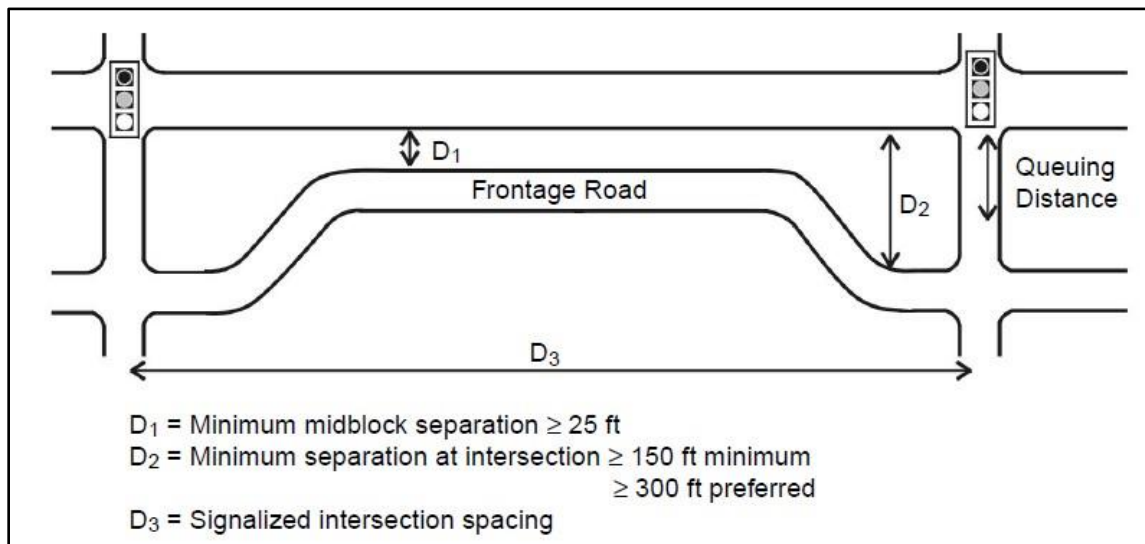


Figure 12: Frontage roads in residential or light office areas can work well where they are one way and begin and end between major crossroads.



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.

<http://www.ctre.iastate.edu/Research/access/amhandbook/index.htm>

Access Management Manual, 2nd Ed. (2014).

Access Management Committee of the Transportation Research Board. Washington, D.C.

Atlanta Regional Commission. (December 2009).

<http://www.atlantaregional.com/html/23.aspx>

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/DrivewayFull.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>

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

Commented [DT1]: The intent is that driveways that are aligned on opposite sides of the road would not be subject to a minimum separation requirement as the desire is that they do align. Either align or separate enough such that conflicts points and congestion are reduced.

Table 3: Corner Clearance Requirements

Accessed By Driveway	Intersecting Street		
	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.	50 100 ft.
Local	100 ft.	50 ft.	50 ft.

Commented [DT2]: Matches the corresponding and similar driveway separation requirements, see 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.

Commented [DT3]: This was inadvertently omitted and was originally a requirement.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: PUBLIC HEARING ON ORDINANCE NO. 4514 - AN ORDINANCE TO AMEND THE COLUMBIA MUNICIPAL CODE BY DELETING TITLE 14, CHAPTER 4 PERTAINING TO STORMWATER MANAGEMENT REGULATIONS IN ITS ENTIRETY AND REPLACING SUCH SECTION WITH A NEW TITLE 14 CHAPTER 4 PERTAINING TO STORMWATER MANAGEMENT

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend the Stormwater Management Ordinance. The intent of this ordinance is to make the language of the Chapter consistent with the language in the State MS4 Permit and BMP Manuals. Planning Commission recommended approval at the June 5, 2024 meeting by a vote of five to zero. Public Hearing notice was advertised in The Daily Herald on July 24, 2024.

ATTACHMENTS: Staff Report, Ordinance No. 4514, Exhibit A.

**AN ORDINANCE TO AMEND THE COLUMBIA MUNICIPAL CODE BY DELETING
TITLE 14, CHAPTER 4 PERTAINING TO STORMWATER MANAGEMENT
REGULATIONS IN ITS ENTIRETY AND REPLACING SUCH SECTION WITH A
NEW TITLE 14 CHAPTER 4 PERTAINING TO STORMWATER MANAGEMENT**

WHEREAS, some of the objectives of the City government are to protect, maintain and enhance the environment of the City of Columbia and to promote the health and general welfare of the citizens of the City of Columbia; and

WHEREAS, in order to meet such objectives it is necessary to enact updated stormwater management regulations to accomplish said purpose.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1. That Title 14, Chapter 4 of the Columbia Municipal Code is hereby repealed and deleted in its entirety and replaced with a new Title 14, Chapter 4 Stormwater Management, which is attached hereto as Exhibit “A” and incorporated herein by reference.

Section 2. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA,
TENNESSEE, this the _____ day of _____ 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FOR APPROVED:



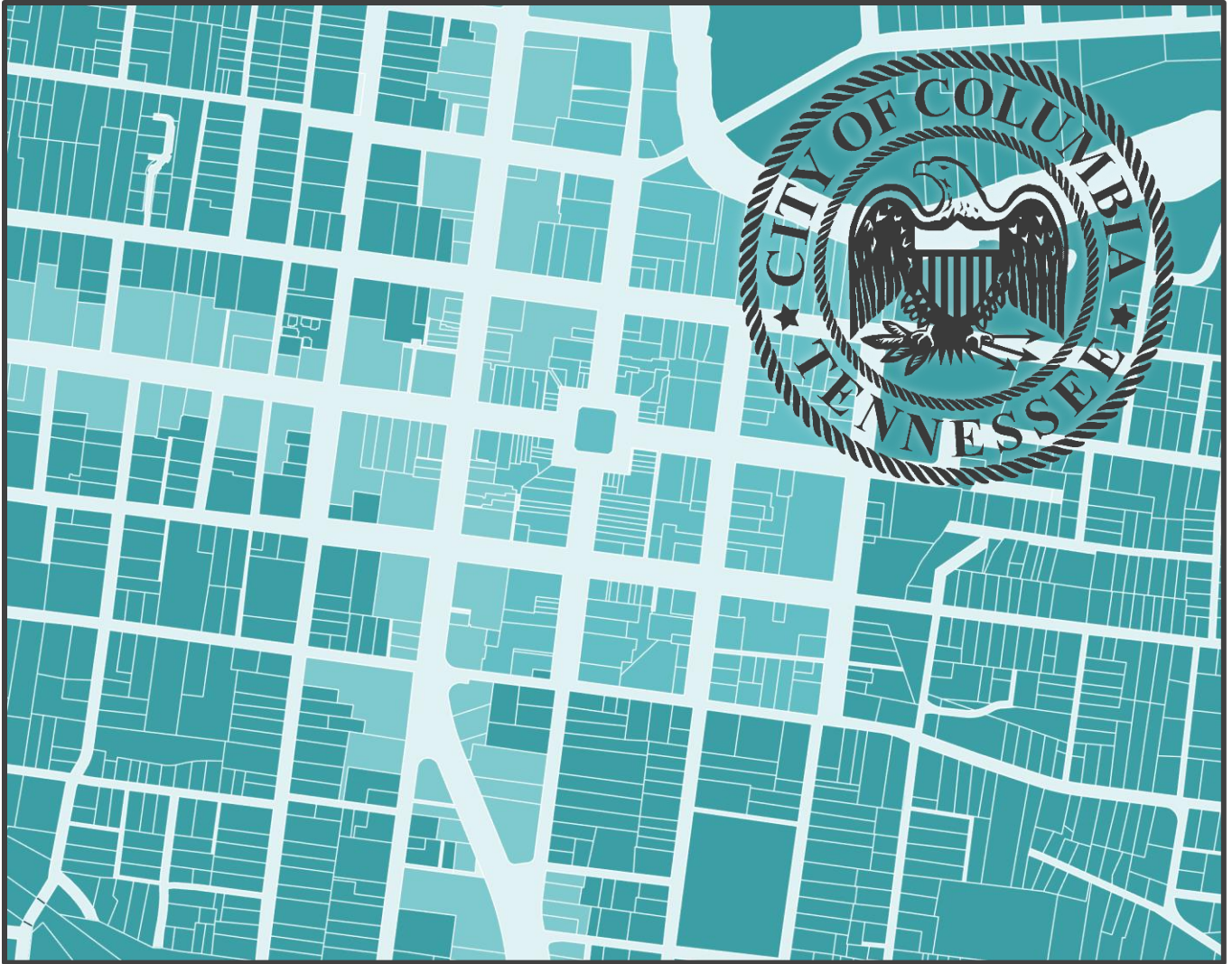
C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY – CITY MANAGER

Passed on 1st consideration: _____

Passed on 2nd consideration: _____



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

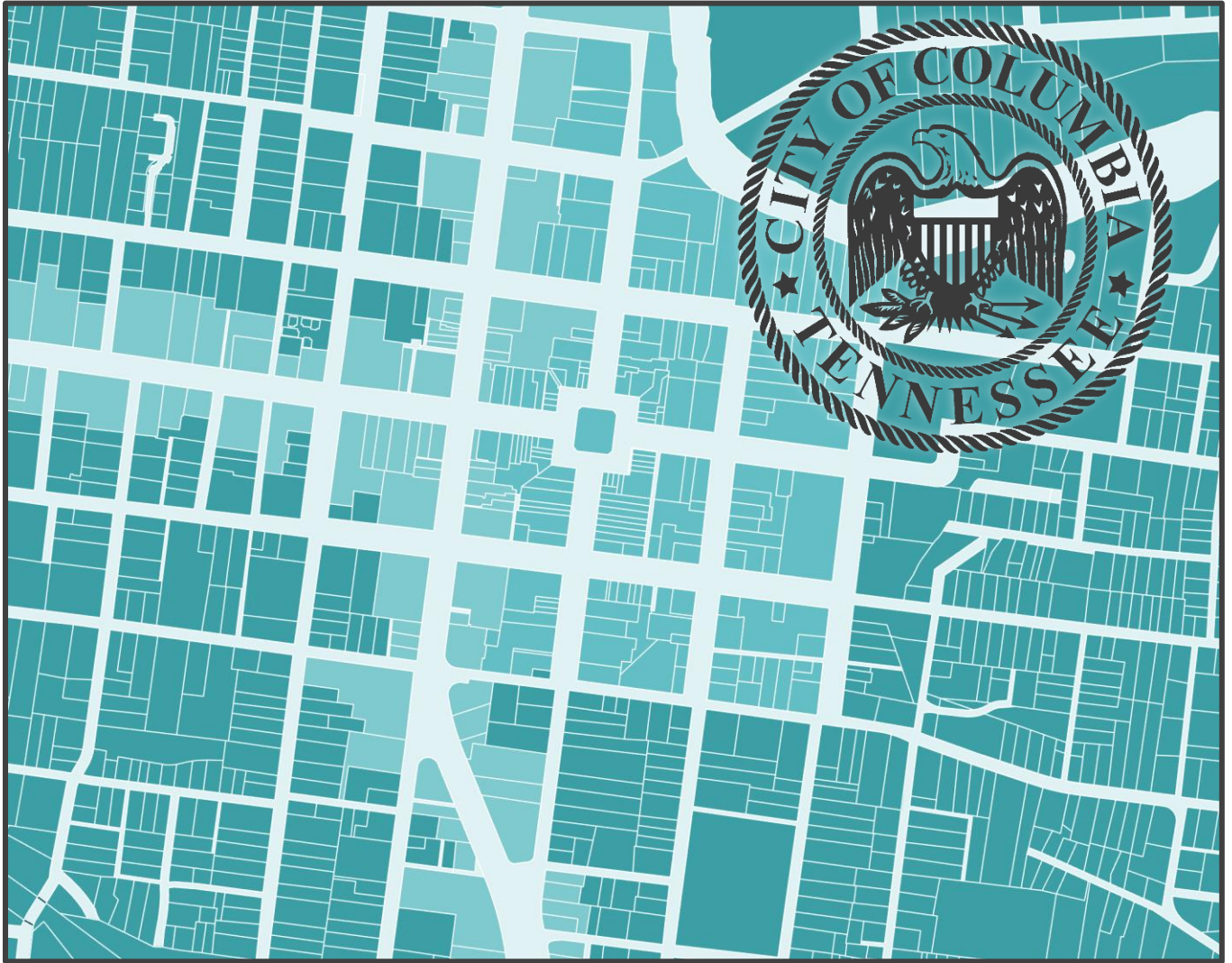
Any and all water, public or private, on or beneath the surface of the ground, which are contained within, flow through, or border upon Tennessee or any portion thereof except those bodies of water confined to and retained within the limits of private property in single ownership which do not combine 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 to 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.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: PUBLIC HEARING ON ORDINANCE NO. 4515 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING ADMINISTRATION, PROCEDURE, & ENFORCEMENT IN ARTICLE 8 BY REPEALING AND REPLACING SUCH ARTICLE 8 WITH A NEW ARTICLE 8 ADMINISTRATION, PROCEDURE, & ENFORCEMENT

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 8: Administration, Procedure, & Enforcement, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero. The required notice of Public Hearing was advertised July 24, 2024 in The Daily Herald.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance 4515, Exhibit A, Marked Changes, DS Staff Report.

AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING ADMINISTRATION, PROCEDURE, & ENFORCEMENT IN ARTICLE 8 BY REPEALING AND REPLACING SUCH ARTICLE 8 WITH A NEW ARTICLE 8 ADMINISTRATION, PROCEDURE, & ENFORCEMENT

WHEREAS, Section §13-7-201 of the Tennessee Code Annotated empowers the city to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals and general welfare of the city to enact such an ordinance; and

WHEREAS, the City Council, pursuant to the provisions of Section §13-4-101 of the Tennessee Code Annotated has appointed a Planning Commission to recommend the appropriate regulations to be enforced therein; and

WHEREAS, on the 5th day of June 2024, the Planning Commission reviewed and recommended specific changes in accordance with Section 8.5.18, of the Zoning Ordinance regarding Administration, Procedure & Enforcement in Article 8. As a result, Article 8 is being repealed in its entirety and replaced with a new Article 8 which is attached hereto as Exhibit "A" and incorporated herein by reference. Said recommendations are being considered after a public hearing held on the 8th day of August, 2024, notice of which was published in the Daily Herald of Columbia fifteen (15) days or more prior to said meeting.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That Ordinance Number 4400, the same being the Zoning Ordinance of the City of Columbia, Tennessee is hereby amended by repealing and deleting Article 8 in its entirety and replacing such Article with a new Article 8, Administration, Procedure & Enforcement which is attached hereto as Exhibit "A" and incorporated herein by reference;

Section 2: That the City Council satisfies the requirements of Section 8.5.18.J.4, by making specific findings as to the following:

- 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.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
COLUMBIA, TENNESSEE, this the 12th day of September, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY – CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration: _____

ARTICLE 8:

ADMINISTRATION, PROCEDURE, & ENFORCEMENT

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ARTICLE 8: ADMINISTRATION, PROCEDURE, & ENFORCEMENT

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 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 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 section , 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;

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- 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 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 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.

1. The Zoning Administrator shall have the following additional responsibilities:
2. Provide information to the public on all matters relating to this Ordinance;
3. Receive, file, and forward to all necessary agencies all applications for Conditional Uses and for amendments to this Ordinance;
4. Undertake a study of the provisions of this Ordinance, and make reports of his/her recommendations to the Planning Commission as necessary.
5. Receive, file and forward to the Board of Zoning Appeals all applications for matters which the Board of Zoning Appeals is required to review under the provisions of this Ordinance;
6. Maintain permanent and current records of this Ordinance, including, but not limited to, all maps, amendments, Conditional Uses, Variances, appeals, and applications therefor;
7. Prepare an annual report summarizing annexation requests and subsequent action on such requests, and submit the same annually to the City Council;
8. Not make changes in the provisions of this Ordinance, excepting as provided in Section 8, and
9. 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. 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.

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 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.

1. In execution of the provisions of this Ordinance, the City Council shall have the following powers and duties:
2. Final decision on amendments to this Ordinance;
3. Final decision on Rezoning;
4. Final decision on adoption of/or amendments to the Comprehensive Plan,
5. Final decision on the preliminary Master PUD Development Plan of a Planned Unit Development;
6. Final decision on a Heavy Manufacturing Permit; and
7. 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.

1. In execution of the provisions of this Ordinance, the Planning Commission shall have the following powers and duties:
2. Final decision on certain Development Plans;
3. Make recommendations to the City Council on amendments to this Ordinance;
4. Make recommendations to the City Council on Rezoning;
5. 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;
6. 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;
7. 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;

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8. Make recommendations to the City Council on a preliminary Master PUD Development Plan; and
9. Make recommendations on compliance for a Final PUD Development Plan or Plat; and
10. 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 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 of 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

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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, 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.

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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.

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.

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:
 - d. On motion by Board of Zoning Appeals member to reconsider the vote; or
 - e. 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 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.

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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.

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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.

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.

1. Subject to state law and the procedures prescribed hereunder, the Historic Zoning Commission shall have the following powers, functions and duties:
2. 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.
3. 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).
4. 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.
5. To conduct a survey of Buildings, places or areas within the City for the purpose of identifying those of historic or cultural significance.

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6. 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.
7. To submit and to review all applications designating Historic Districts.
8. 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.
9. To determine an appropriate system of markers for designation of Historic Districts.
10. To prepare and publish maps, brochures and other descriptive material about the City's Historic Districts, Historic Landmarks and Historic Structures.
11. 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.
12. To advise and assist owners of Historic Properties on physical and financial aspects of preservation, renovation, rehabilitation and reuse.
13. To accept gifts, grants and money as may be appropriate for the purposes of this Article.
14. To adopt, publish and make available Bylaws for the conduct of Historic Zoning Commission meetings.
15. To exercise such powers as may be delegated it by the Tennessee Historical Commission under the certified Local Government's Historic Preservation 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.
16. To review proposed zoning amendments, applications for Conditional Use Permits, Variances, and applications for subdivision that affect proposed or designated Historic Districts.
17. To retain such specialists or consultants or to appoint such citizen advisory committees as may from time to time be required.
18. To confer recognition upon the owners of property within Historic Districts.
19. To develop a preservation component in the Comprehensive Plan of the City and to recommend it to the Planning Commission.
20. To review periodically this Ordinance and to recommend to the Planning Commission and City Council any amendments appropriate for the protection of Historic Properties..
21. 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.

22. 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 Commission.

A. Creation.

1. There is hereby created the Architectural Design Review Commission for the purpose of reviewing Development applications that are subject to design review pursuant to this Ordinance.
2. As authorized by T.C.A. Section 6-54-133, the Columbia Municipal Planning Commission is designated the city's Architectural Design Review Commission, with the authority to develop, adopt, and apply general guidelines for the exterior appearance of properties within the City of Columbia.

B. Design Standards.

In addition to the design standards incorporated in this ordinance, the Planning Commission may develop and adopt exterior appearance guidelines that are applicable throughout the city as well as exterior appearance guidelines that are applicable only to specified areas within the city.

C. Powers & Duties.

1. The Architectural Design Review Commission shall be responsible for reviewing proposals for Site Development Plan, Building Permit, or Planned Unit Development approval for compliance with the applicable architectural design standards.
2. The Architectural Design Review Commission may approve alternative materials and methods of compliance which, in the determination of the Planning Commission, provide aesthetic value which meets or exceeds the prescribed standards.
3. The Zoning Administrator may approve alternative materials and methods of compliance with design standards for existing structures and Site Development Plans for which the Zoning Administrator is the Decision-Making Authority. The alternative means of compliance must provide aesthetic value which meets or exceeds the prescribed standards. The Zoning Administrator may refer any determination of alternative compliance to the Architectural Design Review Commission. Any property owner may appeal the Zoning Administrator's determination to the Architectural Design Review Commission. The appeal shall be by a written notice to the Zoning Administrator, stating: the guideline at issue; the alternative compliance proposed; and, the owner's reasons for seeking relief from the guideline. The appeal shall be treated as a site development plan for purposes of assessing fees and application requirements.

D. Appeals

1. Any property owner affected by the guidelines for exterior appearance may appeal a decision under those guidelines to the City Council. The appeal shall be by a written notice to the Zoning Administrator, stating: the guideline at issue; the alternative compliance proposed; and, the owner's reasons for seeking relief from the guideline. The appeal shall be treated as a site development plan for purposes of assessing fees and application requirements.

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2. The decision of the City Council shall be final and binding.

E. Annual Report.

The Architectural Design Review Commission 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 Commission and any recommendations for changes to this ordinance.

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 Rezoning, Site Development Plan, Subdivision Plat, and Master PUD Development Plan or amendment to Master PUD Development Plan in accordance with 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.

8.3.8 Other Review & Decision-Making Authorities.

A. General.

1. 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.
2. Development Services Department;
3. Department of Public Works;
4. Wastewater Department;
5. Fire Department;
6. City Power and Water Systems;
7. Police Department;
8. Other departments and agencies as may be required under applicable law.

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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 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. Plot Plan or Zoning Permit 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

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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 initiate an interpretation concerning the provisions of this Ordinance. The Planning 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 with 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;

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- b. Consult with and coordinate with other staff 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.

The following **Table 8.5.3 (Review Authority)** summarizes review authority under this Ordinance.

Table 8.5.3 Review Authority							
Application or Permit	Zoning Administrator	Architectural Design Review Commission	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	--	--	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	--	--	A*	--	--	8.5.23
Certificate of Occupancy (Zoning Compliance)	D	--	--	A*	--	--	8.5.11
Historic District Designation	R	--	R*	A*	--	D	8.5.12

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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	--	R	D*	8.5.19
Plan Amendment/Adoption	R	--	R	--	R	D*	8.5.20
Preliminary PUD Development Plan Approval	R	--	R	--	R*	D*	8.5.21
Final PUD Development Plan Approval	R	--	--	--	D*	--	8.5.21
Heavy Manufacturing Permit	R	--	--	--	--	D	8.5.22
Alternative Compliance with Design Standards	D/R	A/D	--	--	--	A	8.5.15
Alternative Performance	R	--	R	--	D	--	8.5.6
Subdivision	D/R	--	--	D	D	--	8.5.24

LEGEND

R – Review or Recommendation

D – Decision

A – Appeal

***** – Public Hearing

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.

The Zoning Administrator may require applicants to 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 by this Ordinance.

C. Application Requirements.

1. Applications required under this Ordinance shall be submitted on forms and in such numbers as required by the appropriate Zoning Administrator. All forms shall include, at a minimum, the following information:
 - a. Contact information for the individual or firm submitting the application.

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- 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. The Zoning Administrator shall determine whether an application contains all required information 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 missing or incomplete items and provide a specific period of time for the applicant to resubmit the material for the next application deadline. 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.
- 10. The Zoning Administrator may require an applicant to present evidence of authority to submit the application.
- 11. 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)**.

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	●		

2. 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 action.

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3. 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.
4. 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.
5. If the signs are removed during the decision process, the signs shall be replaced by the Development Services Department.
6. Posted notices shall be installed by the City in conformance with the following:
 - a. At least one sign shall be placed as close as possible to the property line fronting on a public street at the point of clearest visibility.
 - b. In situations where site conditions prevent the placement of signs in conformance with the requirements in Sections 8.5.4.D.7.a above, shall be placed at the clearest point of visibility as determined by the Zoning Administrator.
7. 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.
 - e. All letters shall be mailed at least ten days prior to the scheduled meeting, hearing, or other action.

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- f. Letters shall be mailed to all owners of property that is Adjacent to the property in question.
8. 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.
9. 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				
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 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 initiate the review according to the procedures established under Section 8.2.1.E..

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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. 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.

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, 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 a Development Plan that has been prepared, submitted, reviewed and certified in accordance with this Article and all standards and requirements applicable thereto.

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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 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. 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

for which no Conditional Use Permit, Variance, or Rezoning is necessary;

1. Major 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 Planning Commission is identified as the Decision Making Authority in Section 8.5.6.D below; and
2. 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

D. Decision-Making Authorities.

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1. The Zoning Administrator shall be the Decision-Making Authority for Plot Plans. However, the Zoning Administrator shall have the discretion to refer 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, or an application referred by the Zoning Administrator.

E. Review by other Departments.

The Zoning Administrator shall ensure that all appropriate entities have reviewed the application and had opportunity to comment.

F. Development Plan Requirements - General.

The following requirements are applicable to all Development Plans and applications:

1. 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.
2. State or Federal regulations may require that additional information be supplied as a part of a submittal.
3. 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.
4. 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.
5. 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.

G. Development Plan Procedures - Submission of Application.

1. No later than six (6) months after a required pre-application meeting, , 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.

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2. The application must adhere to the format established under Section 8.2.1.E.

H. Development Plan Procedures - Staff Review.

1. 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;
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,.
4. If the Zoning Administrator determines that a Development Plan application remains incomplete, the Zoning Administrator shall notify the applicant of such determination with a written explanation regarding which items are incomplete.
5. Applications which remain incomplete following two resubmittal deadlines may be deemed unresponsive and regarded as withdrawn by the applicant.

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 any applicable 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. 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.
 - 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;
 - 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;
 - d. Compliance with site construction requirements;

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- 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
- f. Compliance with requirements for Easements or dedications.

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 Alternative 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 Alternative 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

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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 Alternative 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.

If the Planning Commission declines to approve a proposed method of Alternative Performance, the Site Development Plan must conform to strict application of the prescribed standards of the Zoning Ordinance.

K. Development Plan Procedures -Decision-Making Authority's Action.

1. The Site Development Plan shall be approved or disapproved by the Decision-Making Authority in accordance with the review criteria of Section 8.5.6.I, 8.5.6.J and Sections 8.5.6.K.2-.5 below:

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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.
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 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.

L. Comment Compilation.

Pursuant to Section 8.5.6.E, the Zoning Administrator shall compile all staff comments on behalf of the applicable Decision-Making Authority for a Site Development Plan in light of the applicable requirements of this Ordinance. A copy of these comments shall be provided to the Applicant.

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.

N. 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.

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.

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.

Q. Appeal.

1. Final action by the Zoning Administrator on a Plot Plan may be appealed in accordance with Section 8.5.17.

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2. Final action by the Zoning Administrator on a Minor Site Development Plan may be referred to the Planning Commission.
3. Final action by the Planning Commission on a Development Plan may be appealed may appeal by certiorari to a court of competent jurisdiction.

R. Construction & Use Pursuant to Approved Application, Plans, & Permits

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, enjoined or punishable as provided by Section 8.6.

8.5.7 Floodplain Development Permit.

A. Applicability.

1. Within any Floodplain District:
2. 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;
3. 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
4. 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:
 - c. Elevation in relation to mean sea level of the proposed lowest floor (including Basement) of all Structures;
 - d. Elevation in relation to mean sea level to which any Non-Residential Building will be floodproofed;
 - e. 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

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- f. 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 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;
 - h. 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
 - i. 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

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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.

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.

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- (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 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.
2. The provisions of this section shall not apply to Temporary Uses occurring within the public right-of-way, except as provided for in section 4.3.9.E.6.x.

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.

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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. Temporary Use Permit for Mobile Vending

1. All permits for Mobile Vending shall expire one year from the date of issuance, and shall be renewable.
2. The fee for a Mobile Vending permit shall be established as provided under Section 8.5.4.C.; applicants found to be operating without a permit within the previous twelve (12) months shall be charged 200% of the regular fee.
3. Prior to issuing a permit for Mobile Vending, the Zoning Administrator shall confirm that the City of Columbia Fire Marshal has inspected the mobile vending apparatus and issued a fire permit certifying compliance with the International Fire Code, or that the Fire Marshal has accepted an equivalent fire permit.

E. Revocation of Temporary Use Permit.

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.

F. 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 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

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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.

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

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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;
 - 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.

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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;
 - 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;

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- 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.

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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 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.

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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 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 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.

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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. 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;
 - 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;

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- 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
 - 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.

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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 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.

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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

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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 unappealed Historic Zoning Commission decision under the provisions and guidelines for 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 Commission 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, or concurrent with approval of a Site Development Plan, or Preliminary Planned Unit Development Master Plan, 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 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 Commission.

All reviews by the Architectural Design Review Commission 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 Commission 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.

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2. Applicants are encouraged (but not required) to begin the process with a conceptual presentation of the project to the Architectural Design Review Commission at the initial review meeting.
3. In cases where the Architectural Design Review Commission 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.

E. Approval Authority.

For all applications that include Buildings which are subject to Design Review, the Architectural Design Review Commission shall approve or deny a proposal. The Zoning Administrator shall approve or deny requests by delegation described in 8.3.6.C.3.

F. Design Review Criteria.

1. In their consideration, the Architectural Design Review Commission shall consider the following:
 - a. Compatibility with the surrounding Structures; and
 - b. Compliance with applicable design standards and requirements of this Ordinance or the 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.

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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 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

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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;

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- b. Approve the request with conditions;
 - c. Deny the request; or
 - d. Continue the hearing.
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;

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- (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;
- (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

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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
 - 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

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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. 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

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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 facts stated in the certificate, a stay would, in their opinion, cause imminent peril to life or property or that because the violation

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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.

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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 Plot Plan or Zoning Permit.
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 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.

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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:
 - 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.

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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 Plan or applicable local plans, as determined by the Planning Commission (see Section 8.5.20). The Planning Commission is not obligated to recommend approval of requests which would bring existing zoning into conformity with the Comprehensive Plan prior to the time such change is warranted by the findings of 8.5.19.H.4.e and f.
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.

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1. Rezoning must correspond with the boundary lines of existing platted Lots, Building Sites, or tracts, or 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 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 concept plan meeting the minimum requirements established by the Zoning Administrator 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 a concept plan or a Master PUD Development Plan, as applicable, shall have been reviewed pursuant to Section 8.3.7 and Section 8.5.4 or as applicable, 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, provided the Planning Commission is not obligated to recommend approval of requests which would bring existing zoning into conformity with the Comprehensive Plan prior to the time such change is warranted by the findings of 8.5.19.H.4.e and f;
 - 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 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;

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- e. It has been determined that conditions affecting the area have changed to a sufficient degree 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. Notice of Public Hearing.

Prior to approval, any request for Rezoning shall require a public hearing before the City Council, which shall be placed on the agenda of the next available City Council meeting. 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.

J. Initial Consideration by City Council.

The City Council shall hold an initial consideration of the petition for Rezoning after conducting a public hearing. The request must receive an affirmative vote upon first consideration in order to proceed to second consideration.

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, affirmative votes on two considerations before the City Council shall be required for the petition to be approved. If the Planning Commission recommended denial of the request, the petition must receive a favorable vote of a majority of the entire membership of the City Council to be approved.
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:

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- a. The Rezoning is consistent 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 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. 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.

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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.

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;

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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 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:

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- 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

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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-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.

I. Application Requirements.

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 guidelines and procedures established under Section 8.2.1.E.

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 guidelines and procedures established under Section 8.2.1.E and sufficient information to disclose:

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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.
 3. The Zoning Administrator shall review the Preliminary Master PUD Development Plan 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.
 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.
 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.

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 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.

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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; or
 - c. Disapproval.
5. If the Planning Commission recommends conditional approval, the Zoning Administrator shall transmit the Planning Commission's conditions in writing to the applicant 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.
6. 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.
7. 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.
8. 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.

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

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- 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.

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.
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:

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- 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.

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 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. complete by,. No Final Master PUD Development Plan or amendment to Final Master PUD Development Plan shall be formally presented to the Planning Commission until the Zoning Administrator determines the application is complete and ready for review.

2. 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.

O. Final Master PUD Development Plan - Phased Approval.

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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.

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.

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;

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- 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.

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.
3. The Planning Commission may approve the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan with conditions or modifications.
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 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.

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6. In the event of disapproval, the Zoning Administrator shall prepare a written report on behalf of the Planning Commission and sent to the City Council and the applicant. This report shall detail the grounds on which the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan was denied.

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 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.

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.

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

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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.

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 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 Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, including the any conditions or modifications required for approval.

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.W 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 this section 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:

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- 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 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 8.5.21W, 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.

X. PUD Control After Completion.

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1. After the 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.
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.
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.
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.
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.

Y. Re-Subdivision of PUD After Completion.

A completed PUD may be subdivided and re-subdivided for purpose of sale or lease 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.

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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.

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.

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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.

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

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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 Chief Building Official in accordance with this Section 8.5.23.

B. Applications

Sign Permit applications shall be made with the Chief Building Official.

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 Chief Building Official 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 Chief Building Official.

E. Issuance of Sign Permit

A Sign Permit shall be issued by the Chief Building Official if and only if:

1. the applicant pays the application fee in accordance with a fee schedule adopted by the Commission,

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2. the Chief Building Official 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 Chief Building Official 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 Chief Building Official, 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, Chief Building Official, 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.

C. Correction of Violation.

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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, Chief Building Official, 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 Chief Building Official 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 Chief Building Official, 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.

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- (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 Chief Building Official, 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 Chief Building Official, 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.

G. Request for Reconsideration Review.

If any Person shall feel aggrieved by the determination of the Zoning Administrator or Chief Building Official 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 Chief Building Official 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;

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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.

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 Chief Building Official 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 Chief Building Official 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 Chief Building Official shall reinspect the site, and, if any of such violations still exist, the Chief Building Official 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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§ 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

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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 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;

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- 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;

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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. 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.

Clarifies the responsibility of staff to establish a process of review

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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 8.5.6.1.3~~ 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~~he Planning

Revised to gender neutral language

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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.

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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.

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- ~~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.

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- 238 6. ~~An~~ The Zoning Administrator shall determine whether an
239 application ~~that~~ contains all required information ~~shall be~~
240 ~~deemed complete, and shall only initiate the review and~~
241 ~~processing of applications determined to be complete.~~
- 242 7. If the application is determined not to be complete, the Zoning
243 Administrator shall notify the applicant. The notification shall
244 list ~~all~~ missing or incomplete items and provide a specific period
245 of time for the applicant to resubmit the material for the next
246 ~~scheduled meeting~~ application deadline. ~~The applicant may~~
247 ~~request an additional meeting for explanation of the missing or~~
248 ~~incomplete items. If the application is not resubmitted within~~
249 ~~the period specified by the Administrator, the application shall~~
250 ~~be deemed rejected and shall not be accepted for filing.~~ After
251 an application has been rejected, a new application and fee
252 shall be required.
- 253 8. A determination of completeness does not preclude any
254 negative final action and does not include any implied
255 determination that the application successfully meets any
256 review criteria.
- 257 9. If an incomplete application is erroneously deemed complete
258 and later determined to be incomplete, Section 8.5.4.C.7 shall
259 apply. ~~The applicant may rely on the recommendations of the~~
260 ~~appropriate department as to whether more or less~~
261 ~~information should be submitted.~~
- 262 10. The Zoning Administrator may require an applicant to present
263 evidence of authority to submit the application.
- 264 11. ~~Applications sufficient for processing shall be submitted to the~~
265 ~~Zoning Administrator in accordance with the published~~
266 ~~calendar schedule.~~ Schedules indicating submittal dates shall
267 be developed each year and made available to the public.
268 Applications sufficient for processing shall be submitted to the
269 Zoning Administrator in accordance with the published
270 calendar schedule.

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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:

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~~Deletions are Strikethrough~~

- 301 a. The sign shall specify the phone number for the City
302 Development Services Department.
- 303 b. The sign shall be constructed of a rigid waterproof
304 material, such as plastic board or metal. Letters shall
305 be at least 2" tall.
- 306 c. The sign shall have a minimum dimension of 18" tall
307 by 24" wide and legs of sufficient length to raise the
308 top of the sign 36" above the adjacent grade.

- 309 5. For an application to be considered complete, at least ten days
310 prior to the meeting, the applicant and/or the Development
311 Services Department shall post any required signs. The signs
312 shall remain in place and in readable condition until one of the
313 following occurs:

- 314 a. The request has received final action by the Decision-
315 Making Authority; or
- 316 b. The applicant withdraws the request.

- 317 6. If the signs are removed during the decision process, the signs
318 shall be replaced ~~and re-certified~~ by the Development Services
319 Department.

- 320 ~~6. Signs for all requests shall be removed following final~~
321 ~~action by the Decision Making Authority or when the~~
322 ~~applicant withdraws the request.~~

*Removes language redundant
with #5 above*

- 323 7. Posted notices shall be installed by the City in conformance
324 with the following:

- 325 a. At least One sign shall be placed ~~on or to the~~
326 ~~closest extent~~ as close as possible ~~along to~~ the
327 property line fronting on a public street at the
328 point of clearest visibility.

*Allows staff to determine the
most visible location for posted
notice*

- 329 ~~b. Properties fronting on more than one public street~~
330 ~~must have one single sign on the property line~~
331 ~~fronting along each public street.~~

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332 ~~c. Signs shall be placed at mid — point on the street~~
333 ~~frontage from which the site is addressed. If signs~~
334 ~~are not clearly visible at such midpoints, then they~~
335 ~~shall be placed at the clearest point of visibility as~~
336 ~~determined by the Zoning Administrator.~~

337 ~~d. On properties where existing Structures encroach~~
338 ~~into the minimum sign setback area, the sign shall be~~
339 ~~located on such Structures so that the top of the sign~~
340 ~~is located seven to ten feet above grade.~~

341 e.b. In situations where site conditions prevent the
342 placement of signs in conformance with the
343 requirements in Sections 8.5.4.D.7.a ~~through~~
344 ~~8.5.4.D.7.d~~ above, shall be placed at the clearest
345 point of visibility as determined~~alternative~~
346 ~~placement may be approved~~ by the Zoning
347 Administrator.

348 8. For mailed notice, in addition to other requirements that may
349 be required for the specific procedure, the following shall be
350 required:

- 351 a. All letters shall be sent by the City using certified U.S.
352 Mail.
- 353 b. The letter shall specify the street address and phone
354 number for the City Development Services
355 Department.
- 356 c. If the letter shall contain a notice of an upcoming
357 meeting or hearing, the letter shall include the date,
358 time, location of the meeting and the body before
359 which the meeting or hearing shall take place.
- 360
- 361

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*Not all properties have
street addresses*

- d. The letter shall contain the proposed action and street address, or parcel identification, 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.
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

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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.

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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.

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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.

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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

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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

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546 opportunity to comment. ~~These review entities may include, but are not~~
547 ~~limited to: Department of Public Works, Inspections Department, City~~
548 ~~Engineer, and others. It is encouraged that the applicant addresses all~~
549 ~~concerns raised by these entities.~~

550 F. Development Plan Requirements - General.

- 551 1. The following requirements are applicable to all Development
552 Plans and applications:

553 a. All Development Plans shall be submitted in accordance
554 with Section 8.5.4 and all procedures and guidelines
555 established under Section 8.2.1.E.-

556 b. ~~In addition,~~ State or Federal regulations may require that
557 additional information be supplied as a part of a submittal.

558 c. Each Development Plan required under this Article shall be
559 prepared, signed, and submitted by or on behalf of the
560 Owner of the applicable property or authorized agent. The
561 Zoning Administrator may establish minimum evidence
562 sufficient to demonstrate owner authorization.-If such
563 Plan is prepared, signed, or submitted on behalf of such
564 Owner, a written durable irrevocable power of attorney
565 authorizing such actions to be taken on behalf of the
566 Owner shall accompany the Plan.

567 d. Other information concerning the Lot, Building Site,
568 Development Parcel, or other land or Adjacent Lot,
569 Building Site, Development Parcel, or other land as may
570 be deemed essential by the Zoning Administrator, City
571 Engineer or other reviewers to determine whether the
572 provisions of this Ordinance and other applicable
573 regulation are met.

574 d.e. Any other information or items deemed necessary by the
575 Planning Commission to determine the conformity of the
576 Site Development Plan with the spirit and intent of this
577 Ordinance, which information or items as specifically
578 identified to the applicant in writing.

*Establishes minimum information for
review*

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- ~~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

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~~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~~

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642 ~~limitation those applicable to the District in which the land~~
643 ~~covered by such Development Plan is situated; provided~~
644 ~~however, that a conceptual Development Plan submitted~~
645 ~~as part of an application for Zoning Text Amendment or~~
646 ~~Rezoning need only provide information to describe the~~
647 ~~intended Development; and provided further that solely~~
648 ~~with respect to a Development Plan submitted for~~
649 ~~approval of a Development Plan modification, such Plan~~
650 ~~shall be required to include only those elements being~~
651 ~~changed.~~

652 ~~2. Development Plan applications that cover property located,~~
653 ~~either wholly or in part, within a Floodplain District shall:~~

654 ~~a. Be submitted in conformance with this Section 8.5.6;~~

655 ~~b. Indicate the location of area(s) subject to flooding.~~

656 ~~c. Require the issuance of a Floodplain Development Permit~~
657 ~~prior to final approval (see Section 6.12)~~

658 **~~G. Sketch Development Plan Requirements.~~**

659 ~~At minimum, in addition to meeting all requirements under Section~~
660 ~~8.5.6.F above, each Sketch Development Plan shall be fully dimensioned~~
661 ~~and at a scale no smaller than 1" = 200' except as otherwise specifically~~
662 ~~provided in this Ordinance, and shall be in compliance with the~~
663 ~~standards and requirements of the Zoning Map, any other applicable~~
664 ~~approved Plan, and this Ordinance and shall:~~

665 ~~1. Show the actual shape, location and dimensions of the overall~~
666 ~~project site and each Lot or Building Site;~~

667 ~~2. Show the shape, size, and location of all Buildings or other~~
668 ~~Structures to be constructed, erected, Altered or moved, and~~
669 ~~of any Building or other Structure already on project site and~~
670 ~~each Lot or Building Site;~~

671 ~~3. Include the existing and intended use of each Lot, Building Site,~~
672 ~~and other land and of all Buildings or other Structures upon it,~~
673 ~~including the number of Dwelling Units or other measure of~~

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~~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~~

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~~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,~~

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~~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.~~

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- 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~~

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- (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,~~

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- ~~(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;~~

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- (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~~

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- ~~(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,~~

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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~~

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949 ~~date, which schedule shall be pursued with diligence~~
950 ~~until completion by the owner of the property and its~~
951 ~~successors in interest;~~

952 ~~(21) If the proposed project will require other approvals,~~
953 ~~such as Rezoning, Variances, Administrative~~
954 ~~Adjustments, or Conditional Use approvals, the~~
955 ~~Applicant must identify all such other required~~
956 ~~approvals;~~

957 ~~(22) All information deemed necessary by the Zoning~~
958 ~~Administrator, the Director of Public Works or the City~~
959 ~~Engineer to determine compliance with this~~
960 ~~Ordinance and all other applicable codes and~~
961 ~~ordinances;~~

962 ~~(23) Any other items required by this Ordinance with~~
963 ~~respect to any Site Development Plan or required for~~
964 ~~any other applicable Development application; and~~

965 ~~(24) Any other studies, information, or items deemed~~
966 ~~necessary by the Planning Commission or Zoning~~
967 ~~Administrator, as applicable, to determine the~~
968 ~~conformity of the Site Development Plan with the~~
969 ~~requirements of this Ordinance, which information or~~
970 ~~items as specifically identified to the Applicant in~~
971 ~~writing.~~

972 ~~(25) If the proposal includes a Development Parcel and~~
973 ~~includes or requires Construction of any Structure or~~
974 ~~exterior Alteration to an existing Structure,~~
975 ~~Development, re-Development, Improvement,~~
976 ~~subdivision, or re-subdivision of any Lot, Building Site,~~
977 ~~or other land, use of any land or Structure, or filing,~~
978 ~~issuing, applying for, approving, or certifying any~~
979 ~~subdivision application or plat, Building Permit,~~
980 ~~Conditional Use, site plan, Zoning Map or Zoning Map~~
981 ~~Amendment, or other Development approval with~~
982 ~~respect to such Development Parcel, the Sketch~~

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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;~~

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~~(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.~~

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~~(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.~~

~~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.~~

The pre-application requirement is stated above in 8.5.4

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1079 Additionally, the pre-submission conference serves to educate
1080 the applicant on the Development approval process and the
1081 information required to submit a complete Development Plan
1082 application.

1083 ~~3.~~ After the pre-application conference, the applicant may
1084 provide one complete draft copy of a proposed Development
1085 Plan application to the Zoning Administrator for pre-application
1086 review and feedback.

1087 4.2. No pre-submission discussion, statement, advice, feedback or
1088 review must be binding on the City.

1089 ~~J. Development Plan Procedures - Coordination with other~~ 1090 ~~Approvals.~~

1091 When a Development Plan requires other approvals the applicant shall
1092 identify in the Development Plan application all such other approvals
1093 that such applicant is seeking and refer a draft Development Plan to the
1094 Planning Commission to obtain such Planning Commission's
1095 recommendation prior to making application for any other such
1096 approval.

*This language is contradicted by the
Concurrent Applications provisions
(8.5.6.O of the July 2022 version of
the Ordinance)*

1097 K.G. Development Plan Procedures - Submission of 1098 Application.

- 1099 1. No later than six (6) months after feedback a required pre-
1100 application meeting on the draft Development Plan application
1101 is provided to the applicant, and no fewer than twenty (20)
1102 days prior to the meeting of the Decision-Making Authority at
1103 which the application is to be considered, the applicant shall
1104 submit complete Development Plan application, including all
1105 supporting documentation, accompanied by the appropriate
1106 submission fee to the Zoning Administrator, adhering to any
1107 published deadlines, guidelines, and procedures—printed
1108 copies and one (1) digital PDF copy of the complete
1109 Development Plan application, including all supporting
1110 documentation, accompanied by the appropriate submission
1111 fee.

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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.

L.H. Development Plan Procedures - ~~Completeness—Staff~~ Review.

1. ~~Within fifteen (15) days of submission of a Development Plan application, t~~he 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.

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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.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

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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.

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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.I 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 Alternative Performance be used to avoid compliance with other applicable regulations including the Subdivision Regulations, the Engineering Standards & Specifications, the Access Management

Creates a process for Planning Commission to approve Alternative Performance equivalent to the default prescriptive standards of the Ordinance

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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 Alternative 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

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a decision to approve, approve subject to
conditions, or deny.

(2) The Planning Commission shall determine that:

(a) The proposed Alternative 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

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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.~~KQ~~.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~~.

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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.

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.

*This time limit remains in place
although it is superseded by
Section 1.24 and the Tennessee
Vested Rights Act*

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.

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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

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, enjoined or punishable as provided by Section 8.6.

Numbering removed from
single item heading

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.~~
~~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.~~

Deletion of language which
contradicts Section 2.5 and
typical process of
annexation

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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,

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- 1428 b. due to unique site conditions or the necessary and intrinsic
1429 Uses, size, or form of the Development, such Development
1430 cannot under any other plan, design, or circumstances
1431 conform to one of more of the Character Districts or
1432 standards therefor specified in this Ordinance,
- 1433 c. the rezoning, the related Master PUD Development Plan,
1434 and the proposed Development provide an innovative
1435 plan, design, and Development that are harmonious with
1436 and respect the land use, character, and natural or man-
1437 made features of the subject property and Adjacent
1438 property, and promote quality design and environmentally
1439 sensitive development by taking advantage of special site
1440 characteristics, locations and land uses, and
- 1441 d. there are sufficient existing infrastructure, services, and
1442 utilities available to the site prior to Development.
- 1443 3. Without limitation to Section 8.5.21.B.2 above, approval of
1444 Rezoning of property to a PUD District, Zoning Text
1445 Amendment application related to a PUD, or a Master PUD
1446 Development Plan are subject to the Planning Commission's
1447 and the City Council's first making formal, written findings
1448 regarding each of the items listed in Section 8.5.21.B.2 and that
1449 the proposed Development, such applications, and approvals:
- 1450 a. conform to all applicable standards and requirements of
1451 this Ordinance,
- 1452 b. would be compatible with other Development permitted
1453 under all applicable provisions of this Ordinance;
- 1454 c. will not significantly interfere with the use and enjoyment
1455 of other land in the vicinity;
- 1456 d. adequately conserve woodland and the protect water
1457 courses from erosion and siltation;
- 1458 e. maximize safety, convenience, and amenities for the
1459 residents and visitors of the Development; and

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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

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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.

The Planning Commission and the City Council may consider different types of PUDs (PUD-R and PUD-~~COMUM~~FMU) 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.

*Corrects reference to Mixed Use
PUD abbreviation*

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.

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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

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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~~

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~~Development Plan under Section 8.5.21.J and submission of a
Final Master PUD Development Plan under Section 8.5.21.O.~~

I.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.

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- 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.~~

4. The Development Review Committee shall review the preliminary Master PUD Development Plan or amendment to

Clarifies DRC process for PUDs

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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.

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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~~

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~~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

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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

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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.

E.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

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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:
 - 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;

The 2022 text includes a blank hanging paragraph 2; it is removed and subsequent sections renumbered

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- 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

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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

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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;

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- 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.~~

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~~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:~~

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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~~

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~~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 ~~sent~~ 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.~~

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2096 **V.S. City Council Action.**

2097 1. In the event that the Planning Commission disapproves any
2098 Final Master PUD Development Plan or amendment to Final
2099 Master PUD Development Plan, such action shall be reviewed
2100 by the City Council.

2101 2. The Council shall consider the report submitted by City
2102 Planning Commission and such other information as it may
2103 require in order to determine whether such Final Master PUD
2104 Development Plan or amendment to Final Master PUD
2105 Development Plan in its view meets the test of substantial
2106 compliance and complies with other standards of review herein
2107 established.

2108 3. Should the City Council uphold the Planning Commission's
2109 disapproval of the Final Master PUD Development Plan or
2110 amendment to Final Master PUD Development Plan, it shall
2111 notify the landholder that the action approving the
2112 reclassification of such property as contained in the Final
2113 Master PUD Development Plan or amendment to Final Master
2114 PUD Development Plan shall be disapproved.

2115 4. Should the City Council determine that the ~~f~~ Final Master PUD
2116 Development Plan or amendment to Final Master PUD
2117 Development Plan does meet the test of substantial
2118 compliance and other requirements for approval, it shall notify
2119 both the landholder and the Planning Commission of its
2120 decision, and the action of the City Council approving the
2121 zoning shall thereby become final.

2122 **W.T. Failure to Begin PUD.**

2123 If no Actual Construction has begun in the PUD within three (3) years
2124 from the date of approval of the final shown on the Preliminary Master
2125 PUD Development Plan or amendment to Preliminary Master PUD
2126 Development Plan , said approval shall be lapse and be of no further
2127 effect and the related Zoning Ordinance Amendment and Rezoning shall
2128 lapse, be of no further effect and be repealed. The Planning Commission
2129 may, upon showing of good cause by the landholder, extend the time for

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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

Article 8

Administration, Procedure, & Enforcement

Proposed Zoning Text Amendment

Additions are Underlined
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Commission prior to the continuance of Development or construction.

8.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.~~ZW~~.

8.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.

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2. Any such proposed modification that is not permitted under Sections 8.5.21.~~2.3-4~~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.
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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 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.
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4. For any modification to an approved Final Master PUD Development Plan or amendment to Final Master PUD

Allows the CMPC to direct staff to approve minor changes to a Final PUD

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- 2233 Development Plan other than minor modifications authorized
2234 by Section 8.5.21. WZ.3, such modification shall be subject to
2235 satisfactory proof by the applicant and written findings by the
2236 Planning Commission and City Council as follows and approval
2237 as an amendment to the approved Final Master PUD
2238 Development Plan or amendment to Final Master PUD
2239 Development Plan.
- 2240 a. The modification shall be limited to the minimum
2241 necessary;
- 2242 b. Strict application of the provisions of the approved Final
2243 Master PUD Development Plan or amendment to Final
2244 Master PUD Development Plan would result in practical
2245 difficulties or unnecessary hardship;
- 2246 c. There are exceptional or extraordinary circumstances or
2247 conditions applying to the land, Buildings, Structures or
2248 Uses referred to in the request for modification, which
2249 circumstances or conditions do not apply generally to
2250 other land, Buildings, Structures or uses in the same type
2251 of PUD District.
- 2252 d. The requested modification will not be detrimental to the
2253 public welfare or injurious to property or improvements in
2254 the neighborhood of the premises.
- 2255 e. Under the circumstances of the particular case, the
2256 requested modification will not adversely affect the health
2257 or safety of persons working or residing in the
2258 neighborhood of the premises.
- 2259 f. The requested modification is consistent the intent and
2260 purpose of this Ordinance, the Comprehensive Plan, and
2261 the approved Final Master PUD Development Plan or
2262 amendment to Final Master PUD Development Plan and
2263 will not adversely affect the community objectives of the
2264 Comprehensive Plan.
- 2265 g. The requested modification will not result in any reduction
2266 of required Buffer areas or other specific open spaces
2267 required by this Ordinance and will not vary any District or

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2268 Development standard applicable to the PUD under this
2269 Ordinance.

2270 **AA.X. PUD Control After Completion.**

2271 ~~1. Upon completion of a PUD or of any phase of a PUD, the Zoning~~
2272 ~~Administrator shall issue a Certificate of Completion certifying~~
2273 ~~this fact, and shall note the issuance of the Certificate on the~~
2274 ~~recorded Final Master PUD Development Plan or amendment~~
2275 ~~to Final Master PUD Development Plan.~~

2276 **2.1.** After the ~~Certificate of Completion has been issued~~PUD has
2277 been substantially completed, the use of land and the
2278 construction, modification, or Alteration of any Buildings or
2279 Structures within the PUD will be governed by the approved
2280 Final Master PUD Development Plan or amendment to Final
2281 Master PUD Development Plan and the applicable provisions of
2282 this Ordinance.

2283 **3.2.** No changes may be made in the approved Final Master PUD
2284 Development Plan or amendment to Final Master PUD
2285 Development Plan except upon application to the appropriate
2286 agency under the procedures below:

2287 a. Any minor extensions, Alterations, or modifications of
2288 existing Buildings or Structures may be authorized by the
2289 Zoning Administrator if the extensions, Alterations, or
2290 modifications are consistent with the purposes and intent
2291 of the recorded approved Final Master PUD Development
2292 Plan or amendment to Final Master PUD Development
2293 Plan, this Ordinance, and the Comprehensive Plan.

2294 b. Any Uses not authorized by the approved Final Master
2295 PUD Development Plan or amendment to Final Master
2296 PUD Development Plan, but allowable in the applicable
2297 type of PUD District as a Permitted Use, Permitted Subject
2298 to Limited Use Standards, or as a permitted Conditional
2299 Use, may be added to the recorded approved Final Master
2300 PUD Development Plan or amendment to Final Master
2301 PUD Development Plan under the procedures provided by
2302 for the approval of Conditional Uses.

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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:

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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

- 2347
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- 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.**



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 ~~striketrough~~ 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.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: PUBLIC HEARING ON ORDINANCE NO. 4516 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING BUILDING, LOT AND BUILDING SITE STANDARDS IN ARTICLE 4 BY REPEALING SUCH ARTICLE AND REPLACING SUCH ARTICLE 4 WITH A NEW ARTICLE 4 BUILDING, LOT AND BUILDING SITE STANDARDS

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 4: Building, Lot, and Building Site Standards, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero. The required notice of Public Hearing was advertised July 24, 2024 in The Daily Herald.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance 4516, Exhibit A, Exhibit B, Marked Changes "A", Marked Changes "B", DS Staff Report.

**AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING
THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE
REGARDING BUILDING, LOT AND BUILDING SITE STANDARDS IN
ARTICLE 4 BY REPEALING SUCH ARTICLE AND REPLACING SUCH
ARTICLE 4 WITH A NEW ARTICLE 4 BUILDING, LOT AND BUILDING SITE
STANDARDS**

WHEREAS, Section §13-7-201 of the Tennessee Code Annotated empowers the city to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals and general welfare of the city to enact such an ordinance; and

WHEREAS, the City Council, pursuant to the provisions of Section §13-4-101 of the Tennessee Code Annotated has appointed a Planning Commission to recommend the appropriate regulations to be enforced therein; and

WHEREAS, on the 5th day of June 2024, the Planning Commission reviewed and recommended specific changes in accordance to Section 8.5.18, to the Zoning Ordinance regarding Building, Lot and Building Site Standards in Article 4. As a result, Article 4 is being repealed in its entirety and replaced with a new Article 4 which is attached hereto as Exhibit "A" and Exhibit "B" incorporated herein by reference. Said recommendations are being considered after a public hearing held on the 8th day of August, 2024, notice of which was published in the Daily Herald of Columbia fifteen (15) days or more prior to said meeting; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That Ordinance Number 4400, the same being the Zoning Ordinance of the City of Columbia, Tennessee is hereby amended by repealing Article 4 in its entirety and replacing such Article with a new Article 4, Building, Lot, and Building Site

Standards which is attached hereto as Exhibit "A" and Exhibit "B" incorporated herein by reference;

Section 2: That the City Council satisfies the requirements of Section 8.5.18.J.4, by making specific findings as to the following:

- 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.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this the 12th day of September, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY -- CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration: _____

ARTICLE 4:

BUILDING, LOT & BUILDING SITE STANDARDS

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.

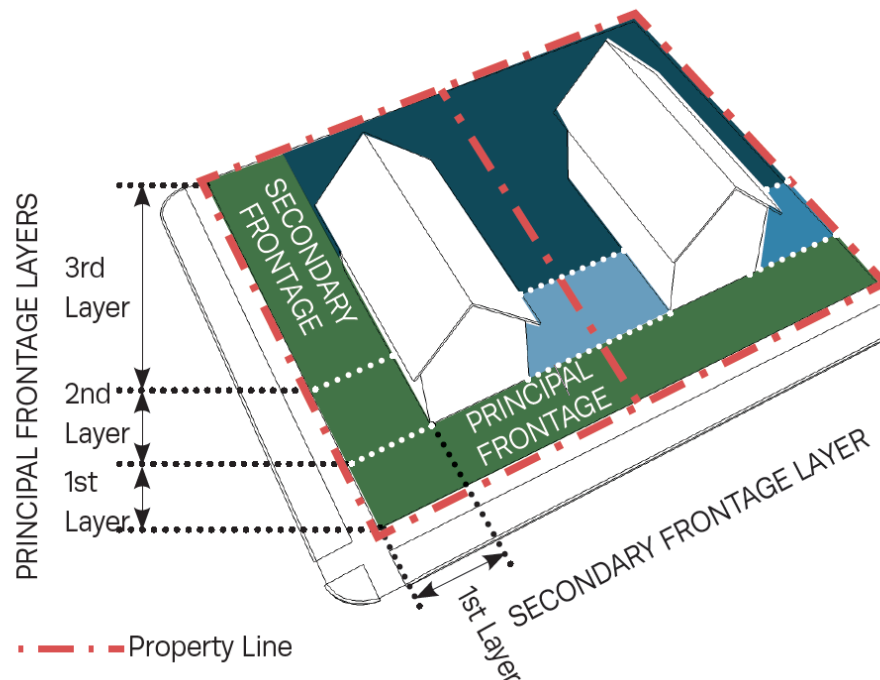
See Table 4.3.1 in Exhibit B

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(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, Structures and Uses on a Lot or Building Site, as set forth in Tables 4.3.1-A - 4.3.1-U (District Standards).
3. For Lots and Building Sites, which have both a Principal Frontage and Secondary Frontage(s), typically Corner Lots:
 - a. Standards and prescriptions for the First Layer apply to the First Layer as related to 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 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.

ILLUSTRATION 4.3.3.A (LAYERS)



ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

B. Dimensions

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, 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)**.

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.

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 about 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.).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

Example: if Lot is 95 ft. deep, the required Rear Yard may be reduced by five feet (5 ft.) [100 ft. – 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 law requiring liability for negligent or willful acts and omissions.
9. 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

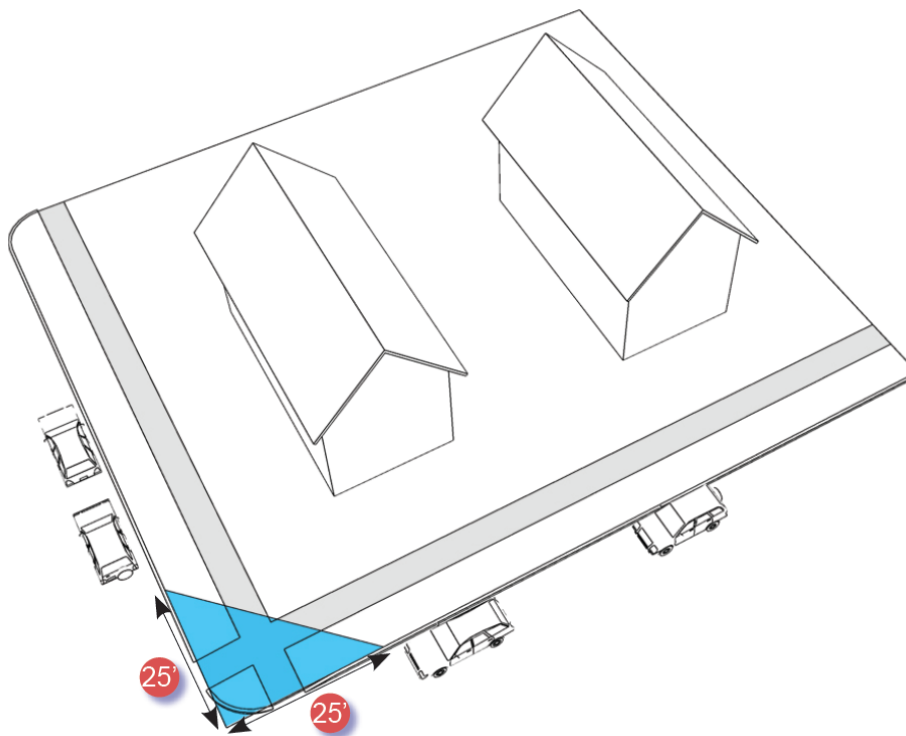
ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

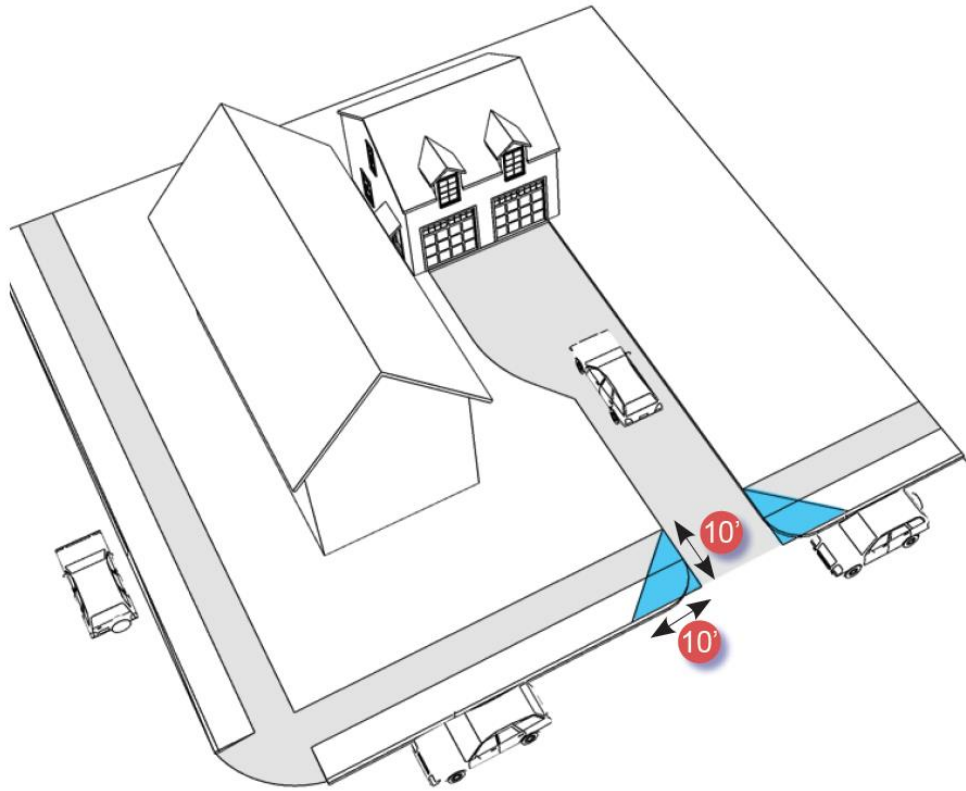
ILLUSTRATION 4.3.3.G.1 (SIGHT TRIANGLE - CORNER)



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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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

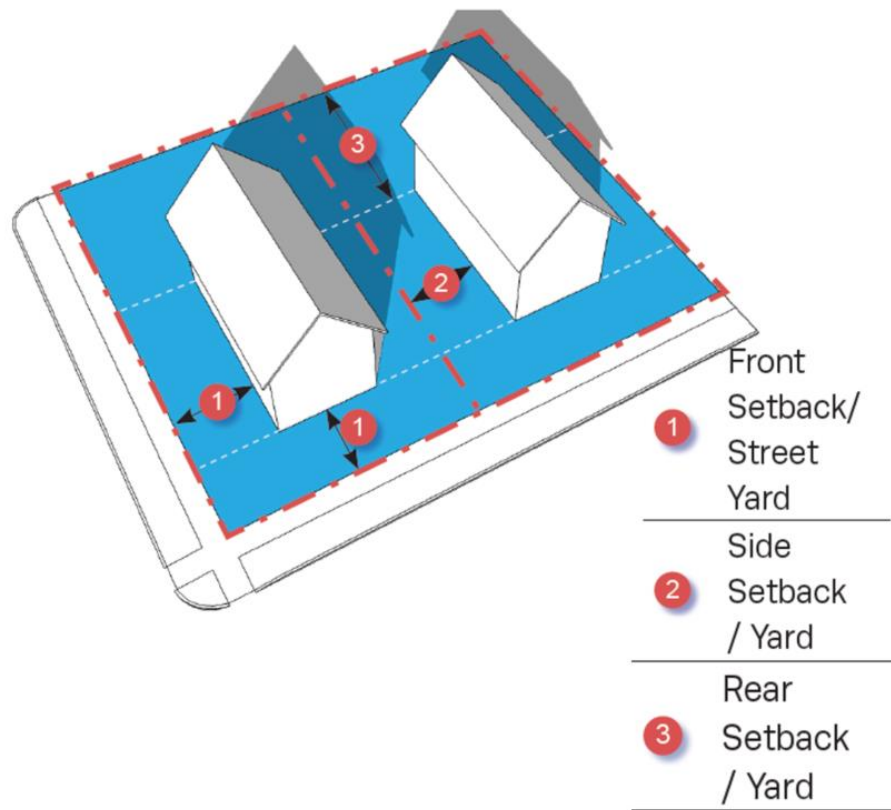
A. Building Placement.

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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

granted by Administrative Adjustment by the Zoning Administrator.

ILLUSTRATION 4.3.4.A SETBACK /YARD DESIGNATIONS



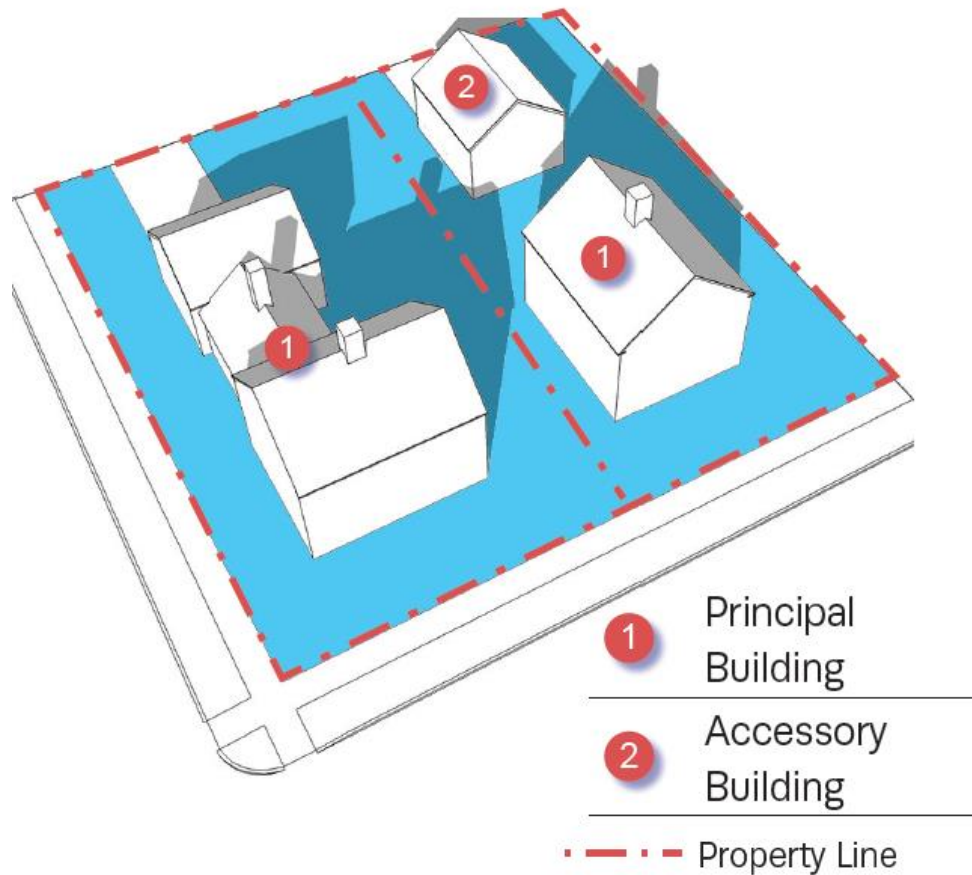
B. Principal Buildings

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).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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;

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

- 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 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.

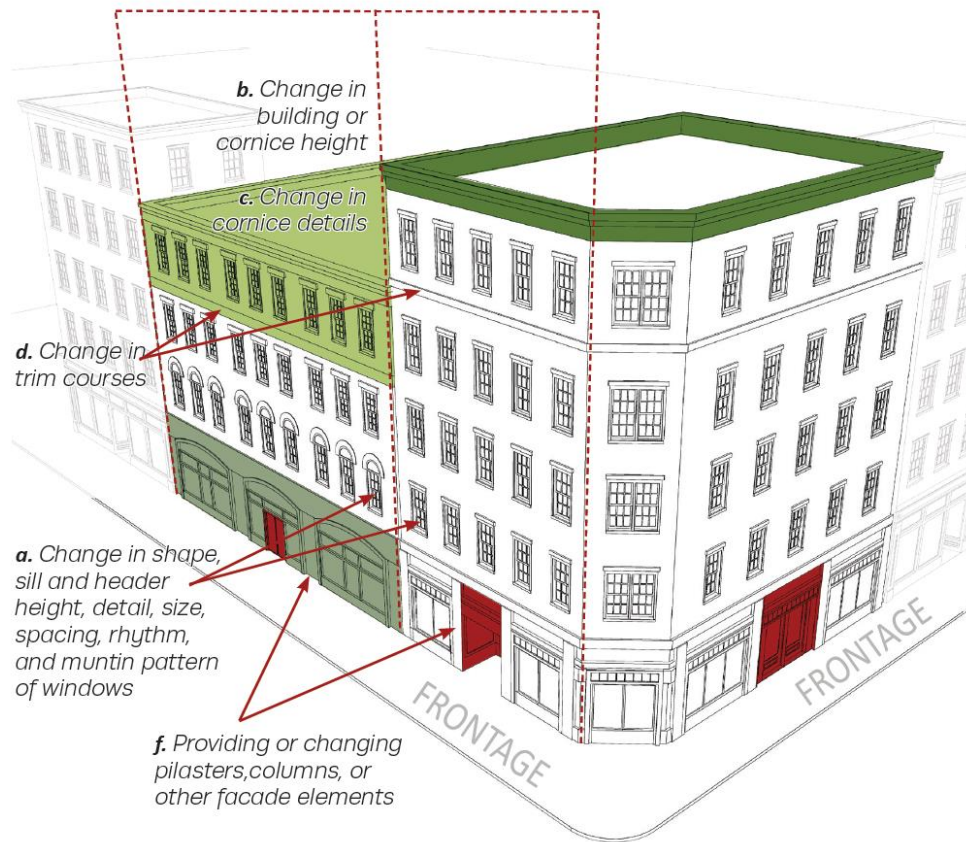
4.3.5 Building Standards

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. 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.
- 3. Principal Building Facades shall be articulated as shown in (See **Illustration 4.3.5.A-3**).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

ILLUSTRATION 4.3.5.A-3 (FACADE ARTICULATION)



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)**.

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.

ILLUSTRATION 4.3.5.D-1 (ROOF TYPES)

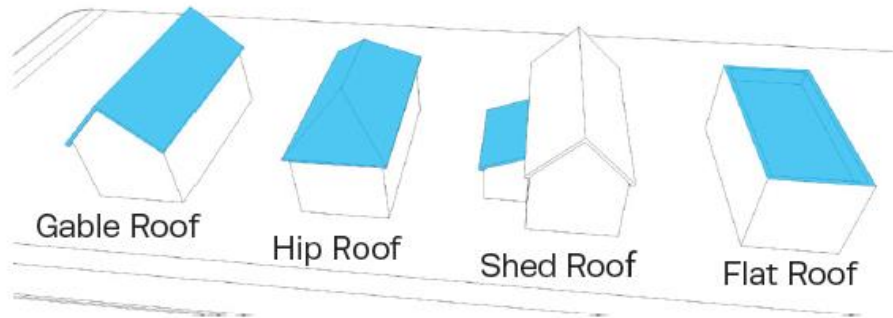
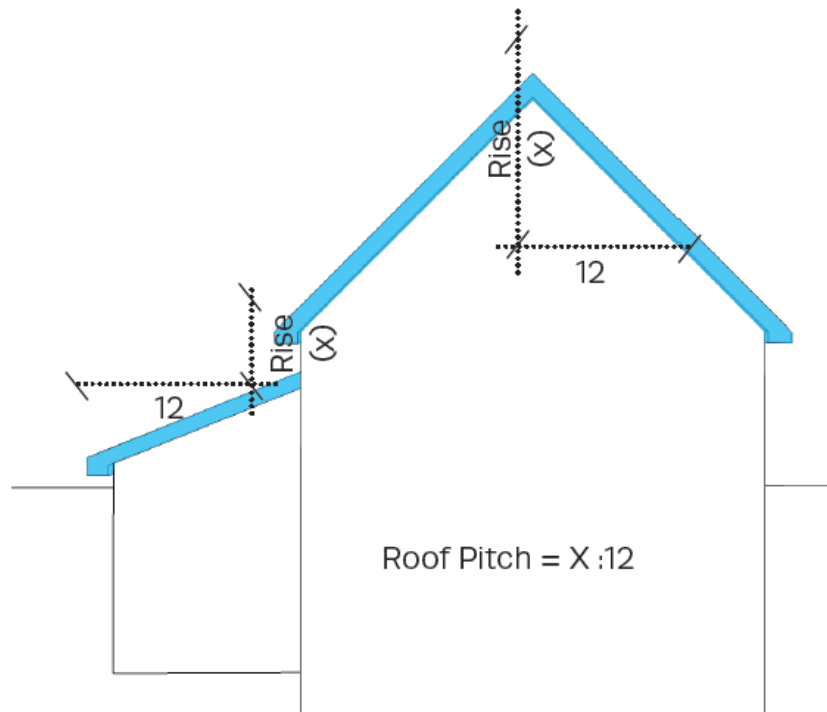


ILLUSTRATION 4.3.5.D-2 (ROOF PITCH)



4.3.6 Fences & Walls

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;

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 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.
- 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
3. 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.
 4. 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

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 4.3.7B (Private Frontage Types), and **Tables 4.3.1-A - 4.3.1-U (District Standards)**.

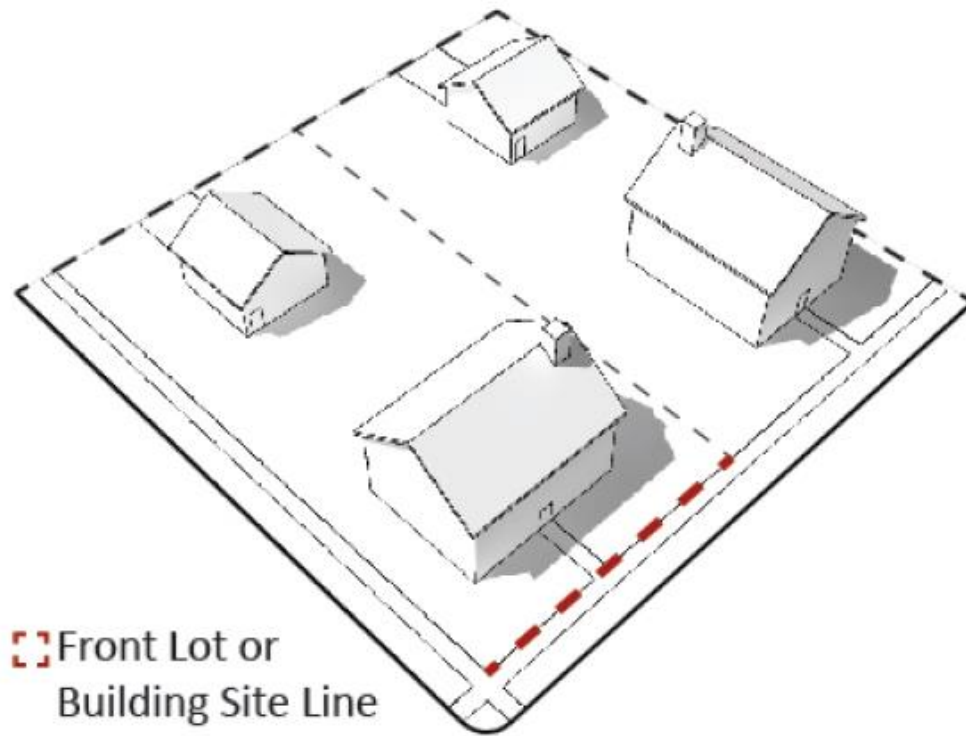
B. Private Frontage – Corner Lots / Building Sites.

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)**.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

ILLUSTRATION 4.3.7.B-2 (FRONTAGE & LOT / BUILDING SITE LINES)



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)**. The mix of Building Types on each Development Parcel is further regulated under Section 5.1.10.

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 Edgeward, often shared with an Accessory Building in the rear.
	CD-2 CD-3L CD-3 CD-4 CD-4C PUD-R

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

	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-byside 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

	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 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 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-2 CD-3L CD-3 CD-4 CD-4C CD-5 CD-5C PUD-R PUD-MU CV

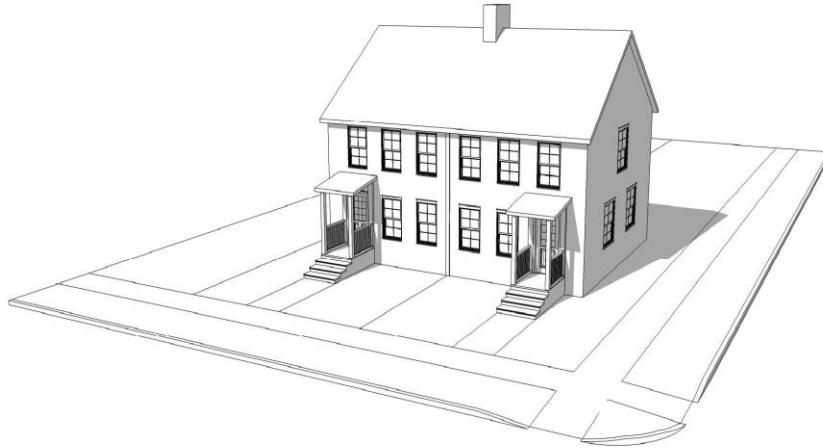
ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES

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 back-yard. 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 SD-LI PUD-R
PU-MU

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-4 CD-4C CD-5 CD-5C SD-LI PUD-R
PU-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/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 Loca- Principal Frontage
tion

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-4 CD-4C CD-5 CD-5C SD-INT SD-LI
PUD-R PU-MU

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-4 CD-4C CD-5 CD-5C PUD-R
PU-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 & Massing

Height

Per district height standards

Width

18 ft min – 36 ft max

Pedestrian Access

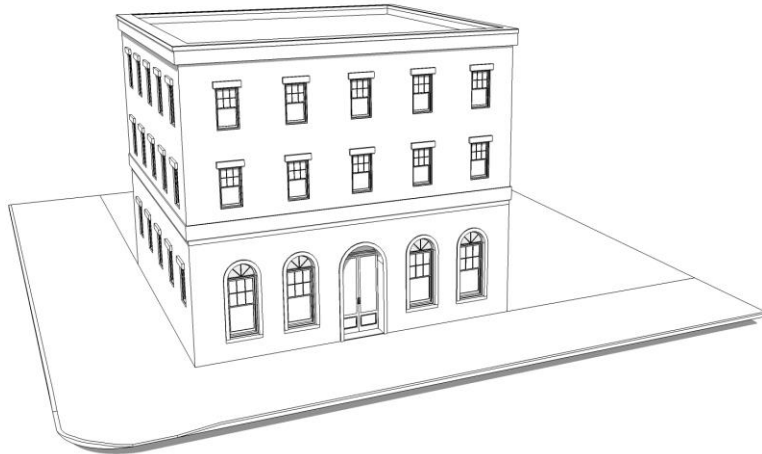
Main Entrance	Principal frontage
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Vehicle Access & Parking

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-4 CD-4C CD-5 CD-5C SD-INT
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 & Massing

Height

Per district height standards

Width

Per district lot/building site width and side setback/ yard standards

Pedestrian Access

Main Entrance	Principal Frontage
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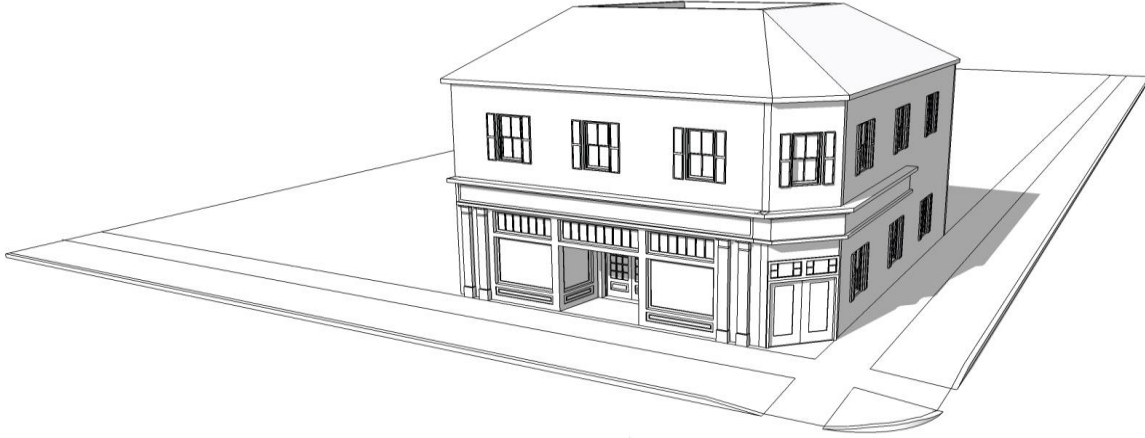
Vehicle Access & Parking

Parking may be accessed from an Alley, a Thoroughfare, or internal drive at frontage

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

MIXED-USE

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-4 CD-4C CD-5 CD-5C 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 Principal Uses
--------------------	---

Allowed Private Frontages

Scoop	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
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Upper floor	Principal or secondary
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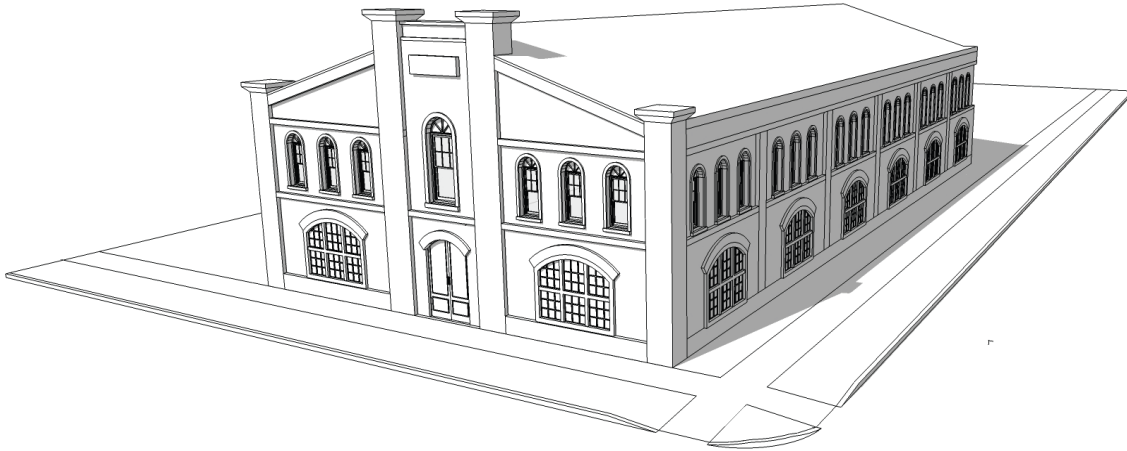
Upper floors must be accessed by a common entry

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-4 CD-4C CD-5 CD-5C SD-INT SD-LI SD-HI 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*	P
Shopfront	P	Arcade*	P

*Only used in conjunction with 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 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

MID-RISE

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-5 CD-5C SD-LI PUD-MU

General Description

An attached or detached building that may provide a vertical and/or horizontal mix of uses 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 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

*Only used in conjunction with Shopfront or Officefront type

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

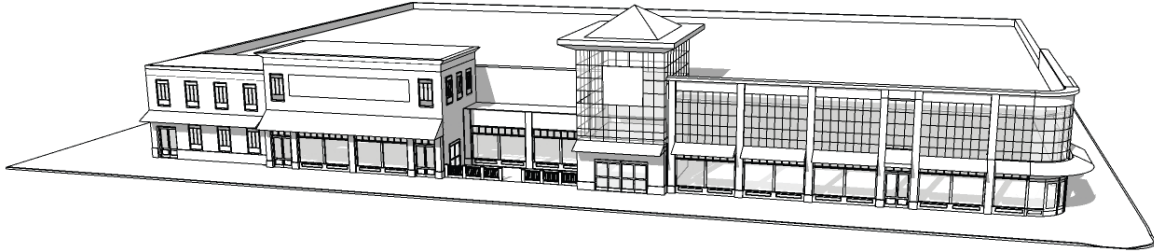
Vehicle Access & Parking

Parking may be accessed from an alley, thoroughfare, or drive at frontage

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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/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

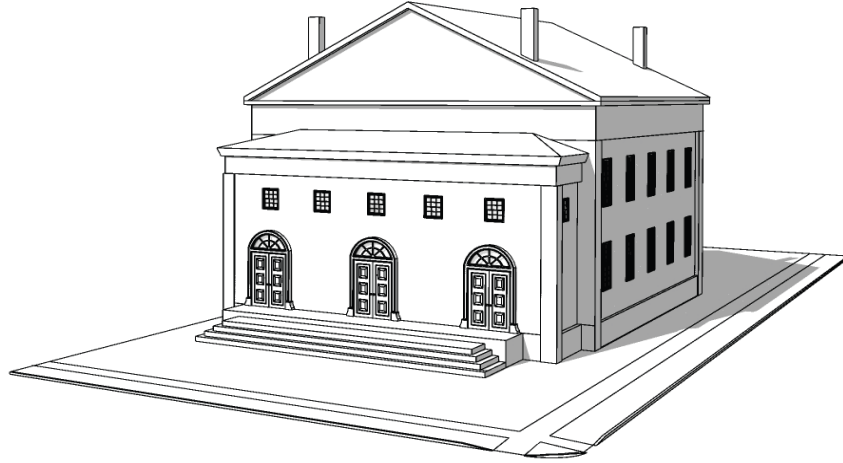
Ground floors	Principal frontage
Upper floors	Principal or secondary frontage

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-2 CD-3L CD-3 CD-4 CD-4C CD-5 CD-5C
SD-LI SD-HI SD-INT 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 & 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 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)**.
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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

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 -Town-houses	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	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	PL	PL	NP

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
Building Type permitted in District														
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 Play-ground	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
Water Conservation Area	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
Business, trade, or vocational school, other than Truck Driving School	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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, Hand-gun, or Skeet Shooting	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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, 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	NP
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	PL	NP	NP	NP

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
Cleaning, other than Car Wash														
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
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,	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP	NP
Other Wholesale Sales Uses Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP	NP

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 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
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	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	NP

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
Storage of Chemicals, Petroleum Products, Explosives, and Allied Products														
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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
manufacturing, but excluding Artisan Establishments														
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 non-flammable 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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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 or 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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
Adult - Oriented Establish- ment	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	NP

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.

1. Commercial Corridors

2. 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.

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.

- 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 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.

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.E in addition to Conditional Use approval and issuance of a Conditional Use permit pursuant to Article 8 (Administration, Procedures & Enforcement).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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. **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.
 - (6) The Accessory Dwelling must share ownership and utility connections with the primary dwelling.
 - b. **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.

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- (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.
- c. **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:
 - (5) Barns, feed Lot or Building Sites, pens, and stockyards may be permitted in accordance with the applicable Use Table, subject to the following:
 - (6) Barns, feed Lot or Building Sites, pens and stockyards shall require a minimum separation of 200 feet from all property lines.
 - (7) The location of such an activity shall be in an area sparsely developed during the length of time the Use as a stockyard or feed Lot or Building Site is anticipated;
 - (8) 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.
 - (9) 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.
- d. **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.

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- (5) Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.
- e. **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) Within the CD-2, CD-3L, and CD-3 District no more than three (3) Duplex Buildings (each Duplex Building containing two Dwellings) may be located on any Block Face.
 - (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:
 - (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.
- f. **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.

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- g. **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.
- h. **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**.
- i. **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.
- j. **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.
 - (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.

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- (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.
- k. **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.
- l. **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.

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- (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, 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.

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;

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;

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.

- m. **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

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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.

n. **Food Truck Courts** shall be permitted as a Principal Use on any Lot or Building Site in accordance with Table 4.3.9.A-1, subject to the following:

- (1) Approval of a Development Plan pursuant to Section 8.5.6. As part of the Development Plan application, the Zoning Administrator shall review the items listed below and may request review by other City of Columbia officials.
- (2) Each Food Truck operating within a Food Truck Court must hold a current Mobile Vending permit from the City of Columbia.
- (3) A designated manager must be responsible for the orderly organization of the site, the cleanliness of the site, and compliance with all City of Columbia regulations.
- (4) The Food Truck Court must be kept clear of litter and debris at all times.
- (5) Waste receptacles must be provided on site during all hours of operation.
- (6) At least 30 percent of the lot or building site area must be shared common area not utilized for Food Truck stalls or parking.
- (7) The common area shall be designed for customer use and must include designated seating for patrons.
- (8) Electrical service must be provided on-site.
- (9) Food Truck Courts on lots or building sites greater than or equal to 0.50 acres in area must provide on-site accessible restroom facilities available for both customers and employees within a permanent structure.
- (10) Food Truck Courts on lots or building sites less than 0.50 acres in area must either provide
 - (a) on-site accessible restroom facilities; or
 - (b) a written agreement granting use of restrooms within 300 feet of the Food Truck Court for customers and employees during hours of operation.
- (11) Temporary or portable toilet facilities are not permitted.
- (12) Each Food Truck shall occupy a designated Food Truck Stall.
- (13) Food Truck stalls shall conform to the dimensional standards of a parallel parking stall in Table 4.3.12.C-1 and to the off-street parking surface requirements of the applicable Character District or Special District.
- (14) There shall be at least ten feet of unobstructed clearance between each Food Truck.

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- (15) Food, drink, and other merchandise must be sold directly from Food Trucks or other Mobile Vending Apparatuses.
- (16) Except in Character District CD-5, the sale of alcohol in a Food Truck Court is prohibited.
- (17) Food Truck Courts with more than five Food Truck stalls must utilize a single point of sale system associated with a business entity with a situs and current business license and in the City of Columbia.
- (18) Required parking shall be provided
 - (a) as described at § 4.3.12.B.3;
 - (b) on another lot or building site within 1,320 feet of the Food Truck Court by parking agreement or easement, provided the principal use on the shared site shall maintain minimum required parking;
 - (c) On street space within 1,320 feet of the Food Truck Court; or
 - (d) a combination of a -c above.
- (19) The Food Truck Court operator shall provide a detailed operating plan which includes:
 - (a) The maximum number of Food Trucks that can operate on the site at one time;
 - (b) A copy of the rules of operation to which Food Trucks operating on the site must adhere;
 - (c) A plan for the appropriate disposal of fats, oils, and grease which prevents release into the city sanitary sewer;
 - (d) Hours of operation of the Food Truck Court;
 - (e) Contact information for the designated manager;
 - (f) An explanation of how required parking will be provided; and
 - (g) An explanation of how required restroom facilities will be provided.
- (20) The Food Truck Court operator shall provide a plot or building site plan which depicts:
 - (a) The exact location of each Food Truck stall;
 - (b) The location of all permanent structures on the property;
 - (c) Access, ingress, egress, and interior vehicular and pedestrian circulation;
 - (d) The location of any on-site parking;
 - (e) The location of landscaping;
 - (f) The location of all seating areas, trash receptacles and other movable and permanent physical elements of the Food Truck Court; and

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- (g) All other information deemed necessary by the Zoning Administrator.
- o. **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;
 - (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.
- p. **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.
- q. **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:

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- (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.
- r. **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.
- s. **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.

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- (6) Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.
- t. **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.
- u. **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.
- v. **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.
- w. **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 seven to 12 individuals shall have 24-hour staff and professional services in the behavioral sciences available.

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- (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;

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- (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 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.
- x. **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.
- y. **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 Fire safety 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.

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- (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 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.
- z. **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.
 - (a) In addition to the landscaping requirements in Sections 4.3.11 and 4.3.16, the following

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landscaping shall be provided within any Front (Street) Yard:

- (b) An evergreen hedge which is at least 24 inches in height; or
 - (c) Plantings which meet the requirements for plantings under Section 4.3.9.D.6.y(5).
- (3) 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.
- aa. **Mobile Vending** shall be permitted in accordance with TABLE 4.3.9.A-3, subject to the following:
- (1) Issuance of a Temporary Use Permit pursuant to Section 8.5.9.
 - (2) All Mobile Vending shall be subject to the following requirements and limitations:
 - (a) Access, ingress, egress, and interior vehicular or pedestrian circulation at the vending location shall not be impeded.
 - (b) Mobile vendors may not obstruct corner or driveway sight triangles depicted in Tables 4.3.3.G.1 and 4.3.3.G.2.
 - (c) The primary use on site shall maintain an adequate parking supply.
 - (d) upon request of the Zoning Administrator or the Columbia Police Department the Mobile Vendor shall provide a written and signed agreement from the property owner, or owner's authorized agent, granting permission for the temporary use of the property, which shall include a provision for the usage of onsite 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 on a hard surface conforming to Section 4.3.12.C-7 or on properties with existing non-conforming parking areas with an approved driveway entrance.
 - (h) With the exception of Food Trucks, mobile vendors shall not remain on a single site for more than four (4) consecutive days.
 - (i) Food Trucks and shall remain movable at all times and may not be permanently secured to the site; upon request of the Zoning Administrator, each operator of a Food Truck must show current registration to operate the apparatus on public roads and demonstrate that the apparatus is movable.

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- (j) Mobile vendors must dispose of fats, oils, and grease appropriately and may not connect to city sanitary sewer.
 - (k) Any Mobile Vendor serving alcohol must be licensed by the Tennessee Alcoholic Beverage Commission and must comply with all regulations related to the sale of alcohol. Restroom facilities required for employees.
 - (l) Mobile Vendors operating at a location for a duration of more than four hours must have a written agreement, available upon request by the Zoning Administrator or the City of Columbia Police Department, that permits employees to have access to a restroom no more than 300 feet from the vending location during all the hours of operation.
- (3) Within Character District CD-5, Food Trucks and Pushcarts may be permitted to set up for service or to conduct business in the public right of way under the following criteria:
- (a) Mobile Vending locations shall be limited to street segments designated as appropriate for Mobile Vending by the Zoning Administrator; the Zoning Administrator shall create a map of street segments designated for mobile vending at least quarterly; Mobile Vendors who set up for service in the right of way must verify allowable vending locations;
 - (b) Hours of operation shall be limited to 7:00 am to 10:00 pm;
 - (c) Only one parking space shall be occupied;
 - (d) Such Food Truck shall be removed from the parking space each day; no Food Truck may remain in the public rights of way for more than six (6) consecutive hours;
 - (e) Mobile Vendors shall not reserve, obstruct, or otherwise limit the use of parking spaces while not actually occupying the space;
 - (f) The Zoning Administrator, the Department of Public Works, or the City of Columbia Police Department may direct the Mobile Vendor to vacate the right of way at any time, the Mobile Vendor must immediately comply with directions to leave a parking space;
 - (g) The mobile vendor shall clearly identify the mobile vending area with traffic cones or similar device.
- (4) Within CIVIC Districts, Food Trucks may be permitted to set up for service or to conduct business under the following criteria:
- (a) The Mobile Vendor holds a current Mobile Vending Permit
 - (b) The City of Columbia, or a person or organization that has entered into a use agreement with the City of Columbia, has invited the Mobile Vendor to cater a community event;
 - (c) The serving window of the Food Truck must face away from any right of way; and

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- (d) The mobile vendor shall clearly identify the mobile vending area with traffic cones or similar device.
 - (5) Except as set forth in Section 4.3.9.D.6.x(3) 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 and Canteen Truck operations, shall not be permitted to set up for service or to conduct business on any public right-of-Way.
 - (6) 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(5), 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.
 - (7) A canteen truck with a current mobile food vending permit may operate on private property or from the right of way adjacent to a construction site with an active building permit in order to cater to on-site workers: between the hours of 6:00 a.m. and 6:00 p.m. on week days; a Canteen Truck may not remain on any one site for more than one (1) hour each day; the serving window of the Canteen Truck must face private property.
 - (8) An Ice Cream Truck with a current mobile food vending permit may operate on private property or from the right of way; an Ice Cream Truck may not remain at any one location for more than 15 minutes before relocating to another location not less than one-quarter mile from the previous location; the serving window of the Ice Cream Truck must face private property.
 - (9) The Zoning Administrator may revoke the annual temporary use permit found to be in violation of any provision of this Ordinance.
- bb. 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.
 - (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;

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- (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.

aa. **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.
 - (c) The provisions of Section 4.3.9.D.6.a shall not apply.

ab. **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.

ac. **On-Street Vending** shall be permitted in accordance with the applicable Use Table, subject to the following:

- (2) Issuance of a Temporary Use Permit pursuant to Section 8.5.9.

ad. **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.

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- (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.
- (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.

ae. **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.

af. **Outdoor Storage**, where permitted by this Ordinance, shall be located 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.

ag. **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 continuous evergreen hedgerow of at least 24 inches and fence no more than 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.
- (3) Compliance with all other applicable provisions of this Code related to Parking Lots.

ah. **Self-Service Storage Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:

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- (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.
- ai. **Short-Term Rental Units** shall be permitted in accordance 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 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.
- aj. **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.
- ak. **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.

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al. **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.

am. **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.

an. **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 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;

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- (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 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

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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.

ao. **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.
- (4) A spill prevention and countermeasures plan shall be provided prior to construction plan approval that includes, at a minimum:

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- (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.

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.

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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.

TABLE 4.3.9.A-2 BUILDING, LOT & BUILDING SITE ACCESSORY USES

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
Accessory Building	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory Dwelling Unit	PL	PL	PL	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PL
Accessory Garden Center	NP	NP	NP	NP	P	NP	P	NP	P	P	NP	NP	NP	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	P
Dormitory on Site with Educational Institution	NP	NP	NP	P	P	P	P	P	P	P	NP	NP	NP	P
Hazardous Materials Storage	NP	NP	NP	NP	NP	NP	NP	NP	CU	CU	CU	NP	NP	NP
Home Occupations	P	P	P	P	P	P	P	P	P	P	NP	P	P	NP
Child Care for 4 or fewer In Home	P	P	P	P	P	P	P	P	NP	P	NP	P	P	NP
Outdoor Storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP
Parking Area	P	P	P	P	P	P	P	P	P	P	P	P	P	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	P
Retail Sales Accessory to Light Manufacturing or Warehouse	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP

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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	NP
Outdoor Display	NP	NP	NP	PL	PL	PL	PL	PL	PL	PL	NP	NP	PL	PL
School on site with Place of Worship	P	P	P	P	P	P	P	P	P	P	NP	P	NP	P
Seminary on site with Place of Worship	P	P	P	P	P	P	P	P	P	P	NP	P	NP	P
Solar Panels	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Sports Court, Swimming Pool, Hot Tub in 3rd Layer	P	P	P	P	P	P	P	P	P	P	NP	P	NP	NP
Tasting Room on site with Brewery, Distillery, Winery	NP	NP	NP	P	P	P	P	P	P	P	P	NP	NP	NP
Telecommunications Receiving Equipment	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Telecommunications Facility	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU

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

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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.

TABLE 4.3.9.A-3 BUILDING, LOT & BUILDING SITE TEMPORARY USES

PRINCIPAL 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	CV
Trailers in Third Layer for Storage of Goods Associated with Commercial Principal Use, for up to 6 months with possible extension to 12 months	NP	NP	NP	CU	CU	CU	CU	CU	CU	CU	CU	NP	CU	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	P
New Subdivision Sales & Management Office, until development completion	P	P	P	P	P	P	P	P	NP	P	P	P	P	NP
Construction Office Trailer	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Mobile Vending	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL

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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**.

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 ≤ 25% Setback/Yard	P	P
Patios, in permitted applicable Layer	NP	P	P
Decks, in permitted applicable Layer	NP	P ≤ 25% Setback/Yard	P ≤ 25% Setback/Yard
Openwork Fire Escapes & Fire Balconies	NP	P ≤ 6 ft.	P ≤ 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
Driveways & Sidewalks	P	P	P
Retaining walls	P ≤ 3 ft. in height	P ≤ 4 ft. in height	P ≤ 6 ft. in height
Awnings or canopies w/out support other than integral or wall support	P ≤ 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" or 20% of setback / Yard	P ≤ greater of 24" or 20% of Setback /Yard
Flagpoles w/ < 1 structural ground member	P	P	P
Clothes 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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:

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

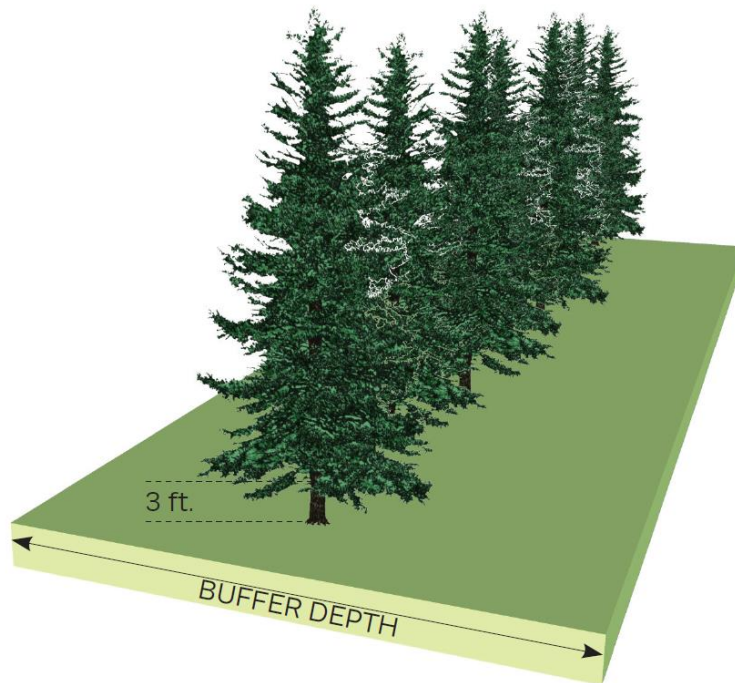
I. Modification

1. The Lot/Building Site/Parcel Buffer requirement at 4.3.11.H. 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
 - (d) site conditions render the required buffer ineffective.
2. The applicant may appeal the Zoning Administrator's determination as described in 8.5.17.

TABLE 4.3.11.H.-1 LOT/BUILDING SITE/PARCEL BUFFER

District of New Dev/Structure	Buffer Depth	Buffer
CD-4	25 ft	Min. 90% opacity 3 ft. from ground and up; Evergreen plants $\geq$ 2.5 in, caliper measured 3 ft. from ground & 8 ft. tall @ installation & 20 ft. tall @ maturity, planted $\leq$ 10 ft. O.C
CD-4C	25 ft.	Same
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).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

Minimum Number of Spaces of Parking Available PRINCIPAL USE to Lot Per Unit of Measurement	
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 Dwelling	2 per Dwelling Unit, plus 1 per any rented room
Two Family Dwelling	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 grass 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 Useable 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 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
Recreation Facility (Civic)	1 per 200 square feet of activity Usable Floor Area + 1 per 200 square feet of gross swimming water surface

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

	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 50 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
CIVIC USES CATEGORY CONTINUED	
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 Use Category	Not Regulated

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

Minimum Number of Spaces of Parking Available PRINCIPAL USE to Lot Per Unit of Measurement	
CIVIL SUPPORT USES 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	0.50 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
Middle School	1 per Teacher or other staff + 1 per 20 Students
High School	1 per Teacher or other staff + 0.50 per Student seat
Post-Secondary School	

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

College or University	1 per Teacher or other staff + 1 per Student
Community College	1 per Teacher or other staff + 1 per Student
Graduate or Professional School	1 per Teacher or other staff + 1 per Student
Nursing Por Medical School not accessory to a Hos- pital	1 per Teacher or other staff + 1 per Student
Seminary	1 per Teacher or other staff + 1 per Student
Other Educational Use	
Other Educational Use Not Listed in Any Other Cate- gory	1 per Teacher, Instructor, Care Giver or other staff + 1 per 20 Students or Children
INSTITUTIONAL USE CATEGORY	
Health Care	
Clinic	2 per patient rooms
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

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

Minimum Number of Spaces of Parking Available PRINCIPAL USE to Lot Per Unit of Measurement	
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 guest 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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

Indoor Recreation- Commercial	
Bowling Alley	1 per 500 square feet of total Usable Floor Area
Commercial Indoor Athletic Training Facility	1 per 1,00 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 spaced 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 accommodation
Firing Range, such as a Rifle Range, Archery Range, Handgun Range, or Skeet Shooting	1 per customer firing squad
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 vehicle space
Paintball Park	Per Planning Commission Approval
Outdoor Entertainment Activity, such as Batting Cage, Golf Driving Range, Amusement Park, Miniature Golf Facility	Per Planning Commission Approval
COMMERCIAL USES CONTINUED	
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 Recreational Use – Commercial not listed under any other Use Category	Per Planning Commission Approval
Parking – Commercial	
Parking Lot	Not Regulated
Parking Structure	Not Regulated
Restaurant	

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 without Drive-Through Facility	1 per 300 square feet of total Usable Floor Area
Bars, Taverns, or Nightclub	
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, leasing, or 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
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
Veterinarian Clinic, Animal Hospital, or non-Agricultural Kennel	1 per treatment, procedure, or surgical room + 100 square feet of total 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 5000 square feet of total Usable 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 Boat storage spaces + 2 per Boat ramp + 1 per Boat available for rental + 1 per employee work station + 2 per work day
Motor Vehicle-Related Uses	
All motor vehicle-related uses, other than Gasoline or motor vehicle sales, rental or leasing, motor vehicle maintenance/ cleaning/ repair/ service par sales and tire sales	1 per 500 square feet for 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 Space + 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 space + 1 work bay
Wholesale Sales	
All Wholesales not listed under any other category	1 per 10,00 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

Minimum Number of Spaces of Parking Available PRINCIPAL USE to Lot Per Unit of Measurement	
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
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 Event 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
Clothing 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 Material 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 the premise 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
INDUSTRIAL USES CONTINUED	
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 Services	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 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 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 Usable Floor Area, with a minimum of 1 space per 2 employees on premises at one time, but no fewer than 2 spaces
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 + 2 per acre
Recycling Collection	1 per collection container

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 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	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 Usable Floor Area, with a minimum of 1 per employee 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
INDUSTRIAL USES CONTINUED	
Woodworking, including cabinet makers and furniture manufacturing, but excluding Artisan Establishment	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
Other Light Industrial Uses not listed in any other Use Category	1 per 2,000 square feet of Usable Floor Area, with a minimum of 1 per employee on premises at one time, but no fewer than 2 spaces
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 Utility Uses	Not Regulated
OTHER USES CATEGORY	
Adult Entertainment	1 per 2,000 square feet of Usable Floor Area but no fewer than 2 spaces

4. Exemptions

- (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;

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

- (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.
5. The number of spaces of Parking available to a Lot or Building Site may not exceed, 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.
 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.
 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.

TABLE 4.3.12.B-2 (SHARED PARKING FACTOR)

USE		with		USE	
Residential/ Dwelling				Residential/ Dwelling	
Lodging				Lodging	
Office				Office	
Retail/Personal Service/Artisan				Retail/Personal Service/Artisan	
		1			
	1.1		1.1		
	1.4	1	1.4		
	1.2	1.7	1.7		1.2
	1.3	1	1.3		
	1.2	1.2			
	1				

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

8. 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.
9. 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.
10. 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.
11. One out of every eight required handicapped accessible spaces shall be van-accessible. A minimum of one van-accessible space shall be provided.
12. 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.

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:

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.C-1 (OFF-STREET VEHICULAR PARKING SPACE DIMENSIONS)

Parking Angle Minimum (degrees) Stall Length	Stall Width 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.

The diagrams show four parking layouts with their respective aisle widths:

- 90 degrees:** A rectangular layout with a 24 ft. aisle.
- 60 degrees:** A rectangular layout with a 18 ft. aisle.
- 45 degrees:** A rectangular layout with a 16 ft. aisle.
- 0 degrees:** A rectangular layout with a 12 ft. aisle.

- 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 Length of Space (degrees) (feet)	Width of Space Aisle Width (feet) (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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

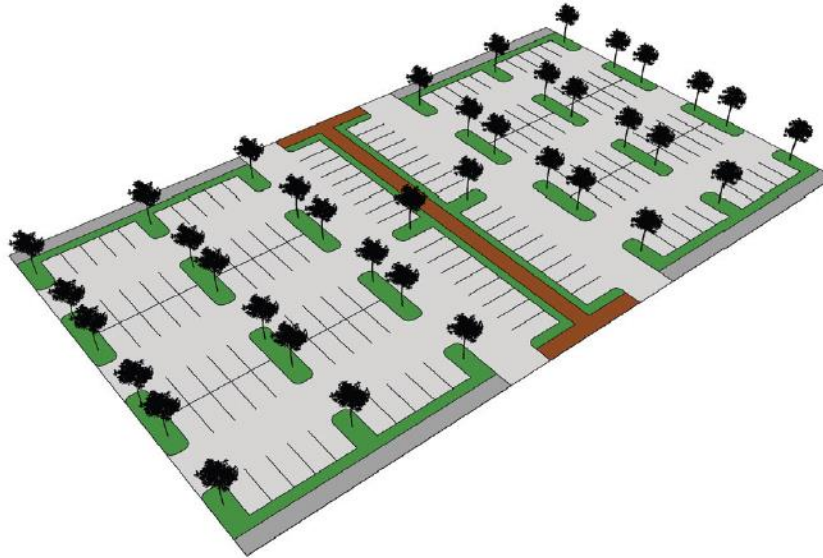
4. Any ramps leading from a Thoroughfare or Internal Drive to a Parking Lot, Parking Area, Garage, or Parking Structure shall be at least twenty feet (20 ft.) wide for two-way traffic and 10 feet (10 ft.) wide for one-way traffic.
5. Curbs must be made of granite or concrete at heights between six inches (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 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

- 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 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



- I. 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 with 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

- 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.

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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

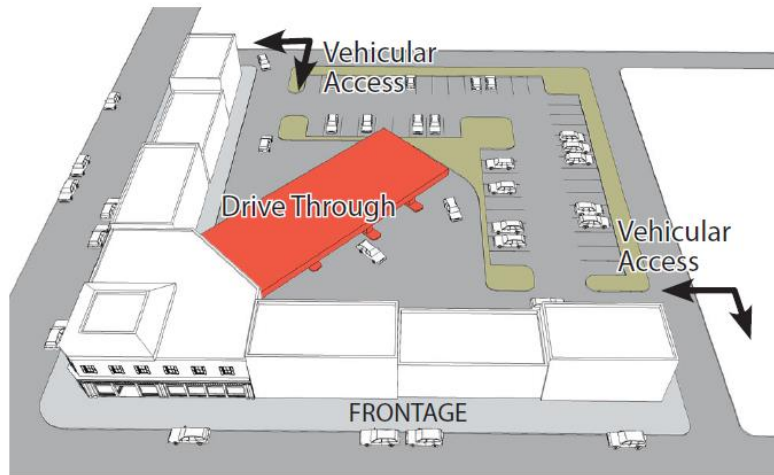
1. Domestic and recreational vehicles such as boats, camper trailers, and utility trailers shall be stored off - street, subject to the location requirements of Table 4.3.1-A– 4.3.1-U (District Standards). Boats, camper trailers, and utility trailers may be stored on an unpaved surface, provided they are parked in the third layer and screened from view from the public right-of-way and adjacent properties.
2. Parking of buses on the site of and directly associated with a permitted Non-Residential Use 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 axel 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, i.e. 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)**.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

ILLUSTRATION 4.3.12.G DRIVE-THROUGH



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:

Table 4.3.12.H (Stacking Spaces)

TABLE 4.3.12.H (STACKING SPACES)

Activity Type	Min. # of Stack-	
ing 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	Pickup Window
Valet Parking	3	Valet Stand
*Other as determined by Zoning Administrator in consideration of approved study prepared by a registered engineer with expertise in Transportation Engineering		

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 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.

4.3.13 Bicycle Parking

- 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.
 5. Bicycle parking areas shall be separated from automobile parking and circulation areas by a physical barrier or a distance of feet.

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 4,00 sq. ft. gross floor area
Medical Uses	
All Uses	None Required
Commercial/ Retail/ Professional & Service Uses	
All Uses	1 space per 4,00 sq. ft. gross floor area
Office Uses	
All Uses	1 space per 20 parking spaces
Communication Uses	

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 Uses	
All Uses	None Required

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 Spaces	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 each Additional 90,000sf	
Other	N/A	N/A	N/A

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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.
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 space 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE 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.

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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 TENNESSE 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
Bur Oak	Q. Marcocarpa
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
Cumcumbertree	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 Stryaciflua
Green Ash	Fraxinus Pennsylvanica
Sycamore	Platanus Occidentalis

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
Serviceberry	Amelanchier Aborea
Buckthorn Bumelia	Bumelia Lyciodes
Shining Sumac	Rhus Copallina
Smoketree	Continus Obovatus
Devil's Walking Stick	Aralia Spinosa
Smooth Sumac	Rhus Galbra
Dogwood	Cornus Florida
Snowbell	Styrax Spp.
False Indigo	Amorpha Fruticosa
Sourwood	Oxydendron Arboreum
Fringetree	Chionanthus Virginicus
Staghorn Sumac	Rhus Typhina
Hawthorn	Crateagus Spp.
Striped Maple	Acer Pennsylvanicum
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
Carolina Buckthorn	Rhamnus Caroliniana

- 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 listed in Table 4.3.16.D-1 (Native Plants of the Tennessee Valley) and shrubs shall be allowed in access Easements, provided a minimum 20-foot wide travel way 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

(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;
 - 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:

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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)		
	CD-2 CD-3L CD-3 CD-4 CD-4C CD-5C SD-MHP SD-INT PUD-R PUD-MU	CD-4 CD-4C CD-5C SD-INT PUD-MU	SD-LI SD-HI
80% - 100%	30%	15%	10%
60% - 79%	36%	18%	11%
40% - 59%	45%	22%	12%
20% - 39%	48%	24%	13%
195 - 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;
 - (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;

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

- (3) Land 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 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
 - (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 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

approved by the Zoning Administrator. Performance guarantees 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 planted on the Lot or Building Site or as applicable, the Development Parcel, where the Specimen Tree was removed; however, in cases where space on the Lot or Building 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 a site within 1,320 feet of the Development Parcel.

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 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 LIGHT STANDARDS)

District	Min./Max. Lighting Level at Frontage Line
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

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 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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).

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.

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)

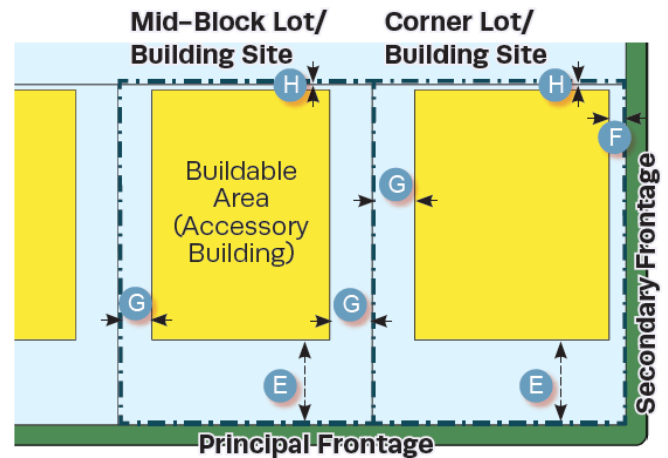
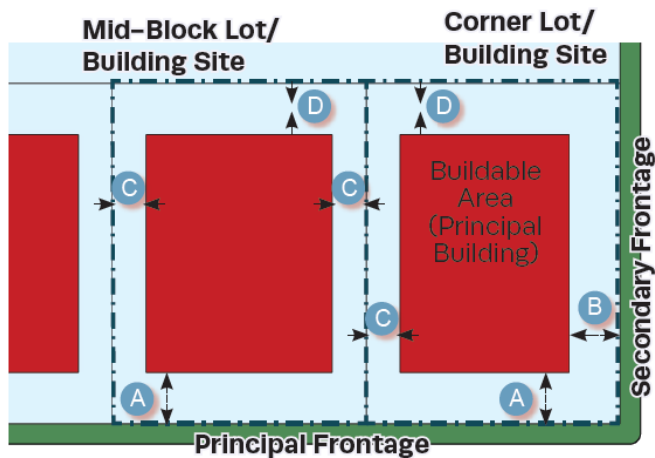
Permitted Uses

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

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 sp. 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	30 ft. min.	A	Front Setback/ Yard	20 ft.min + Principal Building Front Setback/ Yard	E
Principal Footage					
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.		Side Setback/ Yard		
	30 ft. min, or 15 ft min	C	Each side	20 ft. min	G
Rear Setback					
	From center line of Alley	D	Rear Setback	5 ft. min	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, 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 Each Principal Building must have an identifiable Base, Middle, & Cap

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	NR
Blank Walls	NP
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features

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 2 nd 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, stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.		
Porch Pier Cladding	Required; brick or 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.		
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

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 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	NP

CD-2**TABLE 4.3.1-A DISTRICT STANDARDS:
RURAL CHARACTER DISTRICT**

All Other Vehicles

NP**NP** 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 2 nd or 3 rd Layer only; Min interior dimensions 10 ft. x 20 ft. per vehicle Parking space
Garage Design	If Garage faces Street in 1 st or 2 nd 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 1 st 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

CD-2 **TABLE 4.3.1-A DISTRICT STANDARDS:**
RURAL CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	N/A
Drive- Through Locations	N/A

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	NP	P
Solar Panels	P if coplanar to and integrated into roof design	P if coplanar to and integrated into roof design	P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd 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)

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 8 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

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 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3L

TABLE 4.3.1-B DISTRICT STANDARDS

NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT



General Description

The CD-3L Neighborhood Large Lot Character District consist of primarily a low density single-family detached Residential area in which House is the predominant Building type. It has large Lotor Building Sites, medium deep front Setback and medium to wide side Setbacks. Its Thoroughfares and Internal Drives have curbs and may include Sidewalks, and/or street tress, and form medium to large blocks. CD-3L is an appropriate District for the Suburban Neighborhoods future land use Character Area described in the Comprehensive plan.

TABLE 4.3.1-B DISTRICT STANDARDS:
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Density / Floor Area Ratio (FAR)

*Applicable only to Development Parcels

2 Density Unit 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)	NP		

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)

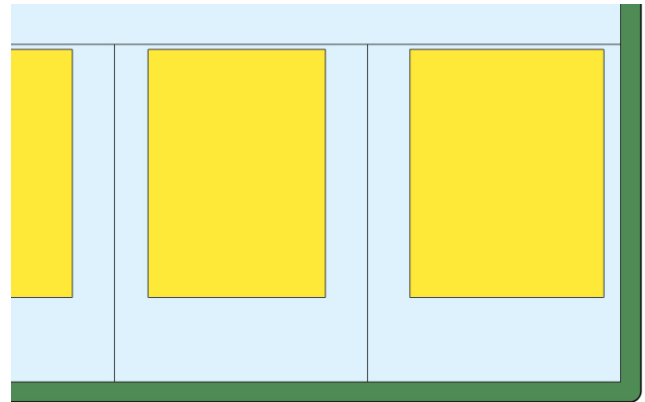
Permitted Uses

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

Principal Building	1 max
Accessory Buildings	2 max

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 $\leq 20\%$ 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 or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard	30 ft. min.	A	Front Setback/ Yard		
Principal Footage			Principal Frontage	20 ft.min + Principal Building Front Setback/ Yard	E
Front Setback/ Yard					
Secondary Frontage	30 ft. min.	B	Front Setback/ Yard		
Side Setback/ Yard			Secondary Frontage	30 ft. min	F
Each side	12 ft. min.	C	Side Setback/ Yard		
			Each side	10 ft. min	G
Rear Setback	30 ft. min, or 15 ft min				
From centerline of rear alley		D	Rear Setback	5 ft. min, or 15ft. min	
			From centerline of rear alley		H

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/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages, located no further than 50% of 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	NR
Blank Walls	NP at Frontage
Façade Articulation	NR at Frontage
Façade Openings	NR
Façade Glazing	NR
Window Shape	NR
Window Alignment	NR
Window Types	NR
Window Glazing Material	NR
Window Trim in 1 st Layer	NR
Shutters	NR
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

CD-3L **TABLE 4.3.1-B DISTRICT STANDARDS:**
NEIGHBORHOOD LARGE LOT 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 roof 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 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 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 alongside Elevations through 2 nd 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	NR
Foundation Cladding	Required; brick, stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.
Porch Pier Cladding	Required; brick or 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.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

CD-3L **TABLE 4.3.1-B DISTRICT STANDARDS:**
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

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).

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd 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	NP in 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	P Prepared surface of, asphalt, concrete, or another hard surface for 30 feet from Thoroughfare or Internal Drive, gravel permitted for any remaining depth of driveway.
Garage Location	P In 2 nd or 3 rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space If Garage faces Street in 1 st or 2 nd layer: max. Garage door width 33% of total Garage + Façade width
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 – 20 ft. in 1 st Layer
Parking Structure	NP
Parking Structure Pedestrian Exit Location	N/A

CD-3L **TABLE 4.3.1-B DISTRICT STANDARDS:**
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

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

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	N/A
Drive- Through Locations	N/A

Non-Building Components

	1 st Layer	2 nd Layer	3 rd 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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	P	P
Animals 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)

Private Landscaping and Fencing

Landscaping

In compliance with Section 4.3.16; with one (1) tree min per 50 ft. of Frontage and continuous shrubs around foundation at 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 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

Required

Locations of Retaining Walls

P within required Yards, per Section 4.3.10

If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-3L **TABLE 4.3.1-B DISTRICT STANDARDS:**
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

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

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 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3 TABLE 4.3.1-C DISTRICT STANDARDS NEIGHBORHOOD CHARACTER DISTRICT



General Description

The CD-3 Neighborhood Large Lot Character District consist of primarily medium density single-family detached Residential area in which House is the predominant Building type. It has medium to deep front Setback and medium to wide side Setbacks. Its Thoroughfares and Internal Drives have curbs and may include Sidewalks, and/or street tress, and form medium to large blocks. CD-3 is an appropriate District for the Suburban Neighborhoods future land use Character Area described in the Comprehensive plan; it is also appropriate for City Center Urban Village Future Land Use Character Area where the Planning Commission determines that is compatible with the established land use pattern in the surrounding area.



CD-3 **TABLE 4.3.1-C DISTRICT STANDARDS:**
NEIGHBORHOOD CHARACTER DISTRICT

Density / Floor Area Ratio (FAR)	*Applicable only to Development Parcels
4 Density Unit 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

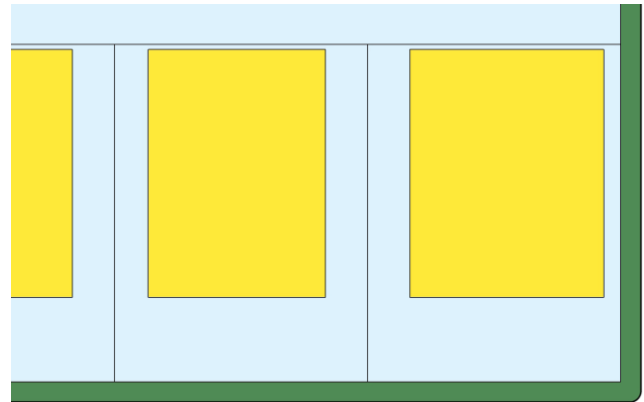
See Table 5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B (Civic Space - Specific Standards)

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

Principal Building	1 max
Accessory Buildings	2 max



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 $\leq 20\%$ 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. The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.O.
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard	25 ft. min.	A	Front Setback/ Yard		
Principal Footage			Principal Frontage	20 ft.min behind Principal Building Frontage	E
Front Setback/ Yard					
Secondary Frontage	20 ft. min.	B			
Side Setback/ Yard			Front Setback/ Yard		
Each side	8 ft. min.	C	Secondary Frontage	20 ft. min	F
Rear Setback	25 ft. min, or 15 ft min		Side Setback/ Yard		
From centerline of rear alley		D	Each side	5 ft. min	G
			Rear Setback/ Yard	5 ft. min, or 15ft. min	
			From centerline of rear alley		H

Building Standards

Building Height*

Principal Building 3 Stories max

Accessory Building 2 Stories max

*Stories/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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**

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages, located no further than 50% of 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	NR
Blank Walls	NP at Frontage
Façade Articulation	NR at Frontage
Façade Openings	NR
Façade Glazing	NR
Window Shape	NR
Window Alignment	NR
Window Types	NR
Window Glazing Material	NR
Window Trim in 1 st Layer	NR
Shutters	NR
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

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 roof 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 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 siding	P for Residential Use
	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 alongside Elevations through 2 nd 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	NR
Foundation Cladding	Required; brick, stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.
Porch Pier Cladding	Required; brick or 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.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

CD-3 **TABLE 4.3.1-A DISTRICT STANDARDS:**
NEIGHBORHOOD CHARACTER DISTRICT

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).

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd 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 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	P Prepared surface of, asphalt, concrete, or another hard surface for 100 feet from Thoroughfare or Internal Drive, gravel permitted for any remaining depth of driveway.
Garage Location	P In 2 nd or 3 rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space If Garage faces Street in 1 st or 2 nd layer: max. Garage door width 33% of total Garage + Façade width
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	18 ft. max in 1 st Layer
Parking Structure	NP
Parking Structure Pedestrian Exit Location	N/A

CD-3 **TABLE 4.3.1-A DISTRICT STANDARDS:**
NEIGHBORHOOD CHARACTER DISTRICT

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

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	N/A
Drive- Through Locations	N/A

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P	P
Solar Panels	P if coplanar to and integrated into roof design	P if coplanar to and integrated into roof design	P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	P	P
Animals 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)

CD-3 **TABLE 4.3.1-A DISTRICT STANDARDS:**
NEIGHBORHOOD CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

In compliance with Section 4.3.16; with one (1) tree min per 50 ft. of Frontage and continuous shrubs around foundation at 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 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

Required

Locations of Retaining Walls

P within required Yards, per Section 4.3.10
If supporting grade 8 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

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)

Thoroughfare from Non-Family Residential
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 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4 TABLE 4.3.1-D DISTRICT STANDARDS GENERAL URBAN CHARACTER DISTRICT



General Description

The CD-4 General Urban Character District consist 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. Has Thoroughfares and Internal Drives with curbs, Sidewalks and tress that define medium-sized blocks. CD-4 is an appropriate District for the City Center Urban Village Future Land Use described in the Comprehensive Plan.



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)

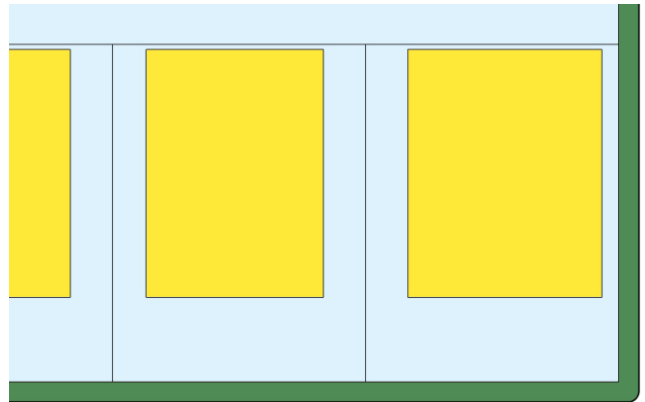
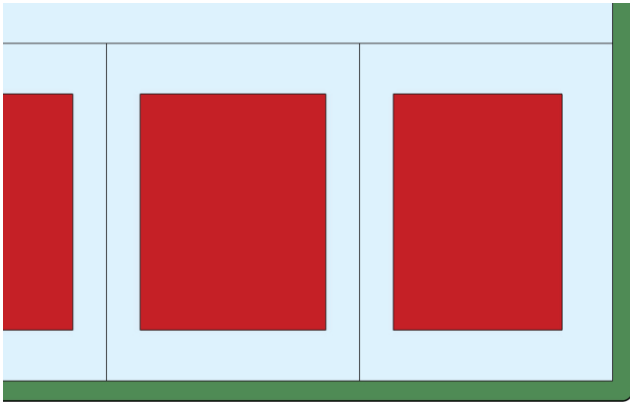
Permitted Uses

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

Principal Building	1 max
Accessory Buildings	1 max

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 x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit X 8max. attached Townhouse units All other Building Types: 18 ft. max All Building Types: 120 ft max
Frontage Buildout	60% min
Lot/ Building Site Area	NR
Impervious Surface Coverage	80% max
Lot/ Building Site Enfrontment	Townhouse: Must enfront a vehicular Thoroughfare, Internal Drive, or Courtyard, except $\leq 20\%$ 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 $\leq 20\%$ 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. The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.O.
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

TABLE 4.3.1-D DISTRICT STANDARDS:
GENERAL URBAN CHARACTER DISTRICT
Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard Principal Footage	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. - 20 ft. min.	B			
Side Setback/ Yard Each side	0 ft min between individual Townhouse Units & Duplex Units; otherwise 6ft min	C	Front Setback/ Yard Secondary Frontage	6 ft. min	F
			Side Setback/ Yard Each side	0 ft. min	G
Rear Setback	25 ft. min, or 15 ft min From centerline of rear alley	D	Rear Setback/ Yard	3 ft. min, or 5 ft. min From centerline of rear alley	H

Building Standards
Building Height*

Principal Building 3 Stories max

Accessory Building 2 Stories max

*Stories/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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 Shopfront Facade, which may not exceed 25ft.

Building Composition

Vertical Composition Each Principal Building must have an identifiable Base, Middle & Cap

Finished Floor Level If Residential: 18 ft., 48 in. max above average grade at façade

Façade	
Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade 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)
Façade Openings	Windows, and/or doors spaced ≤ 20 ft. apart In Stories above first Façade openings must be $\leq 50\%$ of the total Façade area
Façade Glazing	20% - 60% of total ground floor Façade area
Window Shape	Square or vertical in proportion, except 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 Façade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st 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
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
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
Façade Variety	Within a Development Parcel no Façade may exist more than once in a Block Face

Building Standards (continued)

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	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	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 alongside Elevations through 2 nd 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	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim
Foundation Cladding	Required; except foundation cladding, or absence of cladding, may match current material on renovations and minor expansions of existing structures.
Porch Pier Cladding	Required; brick or 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	Required; brick, natural stone, with material matching primary material of Façade

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).

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd 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 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Asphalt, concrete, or another hard surface
Garage Location	P In 3 rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space If Garage faces Street in 1 st or 2 nd layer: max. Garage door width 33% of total Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 ft. max in 1 st Layer if Residential; 36 ft. max in 1 st layer if non-Residential; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

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

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC 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 if coplanar to and integrated into roof design	P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	NP	P
Animals 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)

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

Required continuous shrubs around foundation at Frontage if 1st Layer $\geq$ 3ft. deep, plus if 1st Layer is $\geq$ 15ft. deep, 1 tree planted in 1st Layer every 50' ft of Frontage. Drive aisles within 1st Layer, continuous shrubs Landscaping must comply with Section 4.3.16

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 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 only Picket type allowed at Frontage; other types allowed on sides and 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

Required

Locations of Retaining Walls

P within required Yards, per Section 4.3.10
If supporting grade 8 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	3 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards

Non-Residential & Multi-Family Residential
Screen. Street-Screen Adjacent to or across
Thoroughfare from Non-Family Residential

NR

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 and
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 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4C

TABLE 4.3.1-E 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 parcels identified as Facilitate or Active on the Areas of Change map of the Comprehensive Plan, which have access onto a public right-of-way classified as principal arterial or minor arterial in the Transportation element of the Plan and are located in Suburban Neighborhoods and City Center Urban Village Future Land Use described in the Comprehensive Plan.



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).

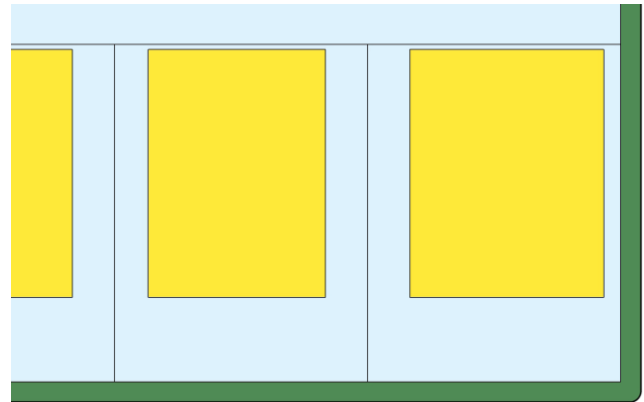
Number of Buildings

Principal Building

1 max

Accessory Buildings

1 max



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 x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit x6max. 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 $\leq 20\%$ 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. The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.O
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

TABLE 4.3.1-E DISTRICT STANDARDS:
GENERAL URBAN CORRIDOR CHARACTER DISTRICT
Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard	6 ft min; 40 ft max.;	A	Front Setback/ Yard		
Principal Footage	except where the Lot or		Principal Frontage	20 ft.min behind Principal	E
Building Site enfronts a Thoroughfare with a functional classification of Arterial and parking is located in the First Layer, max 85 ft			Building Frontage;	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			Front Setback/ Yard		
Secondary Frontage	6 ft. min - 40 ft. max.	B	Secondary Frontage	5 ft. min	F
Side Setback/ Yard			Side Setback/ Yard		
Each side	0 ft min per side	C	Each side	5 ft. min	G
Rear Setback	3 ft. min, or 15 ft min		Rear Setback/ Yard	3 ft. min, or 5 ft. min	
	From centerline of rear alley	D	If Garage door faces Rear Alley		H

Building Standards
Building Height*

Principal Building 4 Stories max

Accessory Building 2 Stories max

*Stories/ Height do not include Attics and Basements, chimneys, flagpoles, towers, spires, belfries, parapet walls, aerals, or antennas. Any Building exceeding 35 feet in height must obtain approval from stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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 Shopfront Facade, which may not exceed 25 ft.

Building Composition

Vertical Composition Each Principal Building must have an identifiable Base, Middle & Cap

Finished Floor Level **NR**

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade 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)

Façade Openings	Windows, and/or doors spaced ≤ 20 ft. apart In Stories above first Façade openings must be $\leq 50\%$ of the total Façade area
Façade Glazing	Non-Shopfront: 20% - 60% of total ground floor Façade area for Shopfront: min. 50% of total ground floor Façade area, min. 20% of total Façade area on upper floors and secondary elevations
Window Shape	Square or vertical in proportion, except 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 Façade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st 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
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
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
Façade Variety	No Façade may exist more than once in a Block Face

Building Standards (continued)

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
	Wood	P	Vinyl or Aluminum siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd 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	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim
Foundation Cladding	Required; brick, stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.
Porch Pier Cladding	Required; brick or 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.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

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).

Vehicular Parking Requirements
Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in 3 rd layer only, and in Driveway
All Other Vehicles	NP	P in 3 rd 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.

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete, or another hard surface
Garage Location	P In 3 rd 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 Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 ft. max in 1 st Layer if Residential; 36 ft. max in 1 st layer if non-Residential; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage
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

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

CD-4C	TABLE 4.3.1-E DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT
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Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	NP	P
Animals 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)

Private Landscaping and Fencing
Landscaping

Required continuous shrubs around foundation at Frontage if 1st Layer $\geq$ 3ft. deep, plus if 1st Layer is $\geq$ 15ft. deep, 1 tree planted in 1st Layer every 50' ft of Frontage. Drive aisles within 1st Layer, continuous shrubs Landscaping must comply with Section 4.3.16

Walls & Fencing

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, 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 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

Required

Locations of Retaining Walls

P within required Yards, per Section 4.3.10
If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-4C	TABLE 4.3.1-E DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT
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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	3 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards

Non-Residential & Multi-Family Residential
Screen. Street-Screen Adjacent to or across
Thoroughfare from Non-Family Residential

NR

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.

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.

Rooftop Antenna Screening and
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 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5 TABLE 4.3.1-F DISTRICT STANDARDS URBAN CENTER CHARACTER DISTRICT



General Description

The CD-5 Urban Center Character District consists of medium to higher density Mixed Use areas. It has a tight network of Thoroughfares and Internal Drives with Sidewalks, streetlights, and regular tree spacing, defining medium sized blocks. Buildings are set close to the Sidewalks. CD-5 is an appropriate District for the City Center Urban Village Future Land Use described in the Comprehensive Plan.

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

2000 ft. max or 3000 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

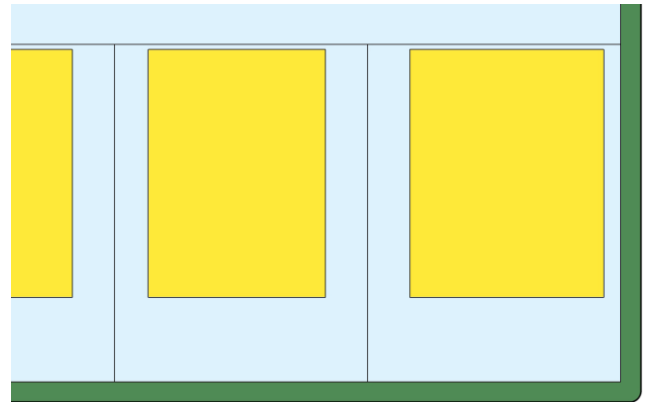
Principal Building

1 max

Accessory Buildings

1 max

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER 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 x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit x6max. attached Townhouse units Large Scale Commercial: 600 ft max All other Building Types: 18 ft. min – 120 ft. max
Frontage Buildout	80% min except House and Duplex 60% min
Lot/ Building Site Area	NR
Impervious Surface Coverage	100% max
Lot/ Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except $\leq 20\%$ 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 or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard	0 ft at corners; 0 ft min.	A	Front Setback/ Yard		
Principal Footage	15 ft max elsewhere		Principal Frontage	40 ft max from rear Property Line; except	E
Front Setback/ Yard					
Secondary Frontage	0 ft at corners, 0 ft min.	B	Side Setback/ Yard	3 ft max	F
	15 ft max elsewhere				
Side Setback/ Yard			Rear Setback/ Yard	3 ft min or 5 ft min if Garage door faces Alley	G
Each side	0 ft min; 24 ft max per side	C			
Rear Setback	NR	D			

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/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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 11ft. 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 average grade at Façade

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade 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)
Façade Openings	Windows, and/or doors spaced ≤ 20 ft. apart In Stories above first Façade openings must be $\leq 50\%$ of the total Façade area
Façade Glazing	Non-Shopfront 20% - 60% of total ground level Façade area; forShopfront: min 50% of total ground level Façade area, min. 20% of total Façade area on upper floors and secondary elevations
Window Shape	Square or vertical in proportion, except 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 Façade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Façade openings must be $\leq 50\%$ of total Façade area.
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st 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
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
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
Façade Variety	No Façade may exist more than once in a Block Face or within view of the same Façade

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER CHARACTER DISTRICT

Building Standards (continued)

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
	Wood	P	Vinyl or Aluminum siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd 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	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim

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).

Vehicular Parking Requirements
Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in 3 rd layer only, and in Driveway
All Other Vehicles	NP	P in 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete, or another hard surface
Garage Location	P In 3 rd 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 Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	24 ft. max in 1 st Layer; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

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

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	NP	P
Animals 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)

Private Landscaping and Fencing
Landscaping

NA if paved or $\leq$ 3ft front Setback/ Yard; Otherwise, shrubs continuous around foundation at Façade. Landscaping must comply with Section 4.3.16

Walls & Fencing

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, 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

Required

Locations of Retaining Walls

P within required Yards, per Section 4.3.10

If supporting grade 8 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	3 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards

Non-Residential & Multi-Family Residential
Screen. Street-Screen Adjacent to or across
Thoroughfare from Non-Family Residential

NR

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 and
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 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 medium to 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 Sidewalks. CD-5C is limited to parcels identified as Active on the Areas of Change map of the Comprehensive Plan which have access to a Principal Arterial identified in the Transportation Plan located in the City Center Urban Village Character Area described in the Comprehensive Plan.

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	2000 ft. max or 3000 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

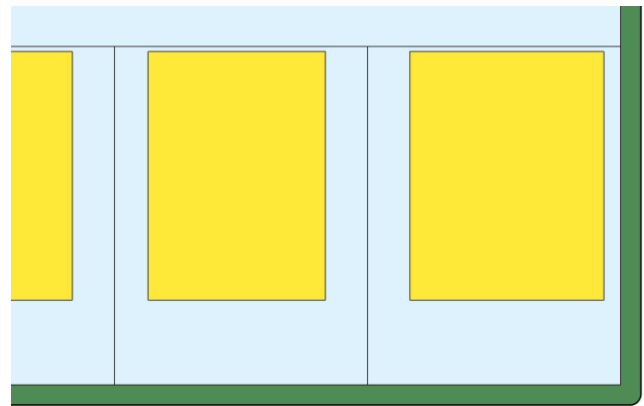
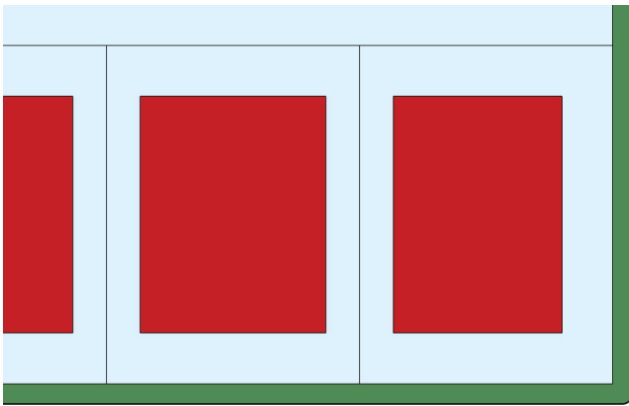
See Table 5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B (Civic Space - Specific Standards)

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

Principal Building	1 max
Accessory Buildings	1 max



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 x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit x8 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 $\leq 20\%$ 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 or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard	0 ft at corners; 0 ft min.	A	Front Setback/ Yard		
Principal Footage	15 ft max elsewhere		Principal Frontage	40 ft max from rear Property Line.	E
Front Setback/ Yard					
Secondary Frontage	0 ft at corners, 0 ft min.	B			
	15 ft max elsewhere		Side Setback/ Yard	3 ft max	F
Side Setback/ Yard					
Each side	0 ft min; 24 ft max per side	C	Rear Setback/ Yard	3 ft min or 5 ft min if Garage door faces Alley	G
Rear Setback	NR	D			

Building Standards

Building Height*

Principal Building 2 Story min; 4 Stories max

Accessory Building 2 Stories max

*Stories/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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 11ft. 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 average grade at Façade

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade 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)
Façade Openings	Windows, and/or doors spaced ≤ 20 ft. apart In Stories above first Façade openings must be $\leq 50\%$ of the total Façade area
Façade Glazing	20% - 60% of total Façade area for non-Shopfront; 70% of total Façade area, min. for Shopfront
Window Shape	Square or vertical in proportion, except 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 Façade and 1 st & 2 nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Façade openings must be $\leq 50\%$ of total Façade area.
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st 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
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
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
Façade Variety	No Façade may exist more than once in a Block Face or within view of the same Façade

Building Standards (continued)

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
	Wood	P	Vinyl or Aluminum siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd 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	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim
Foundation Cladding	Required; brick, stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.
Porch Pier Cladding	Required; brick or 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.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

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

CD-5C	TABLE 4.3.1-G DISTRICT STANDARDS URBAN CENTER CORRIDOR CHARACTER DISTRICT
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Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in 3 rd layer only, and in Driveway
All Other Vehicles	NP	P in 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete, or another hard surface
Garage Location	P In 3 rd 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 Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	24 ft. max in 1 st Layer; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

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

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	NP	P
Animals 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)

Private Landscaping and Fencing

Landscaping

NA if paved or $\leq$ 3ft front Setback/ Yard; Otherwise, shrubs continuous around foundation at Façade. Landscaping must comply with Section 4.3.16

Walls & Fencing

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, 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

Required

Locations of Retaining Walls

P within required Yards, per Section 4.3.10

If supporting grade 8 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	3.5 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards

Non-Residential & Multi-Family Residential
Screen. Street-Screen Adjacent to or across
Thoroughfare from Non-Family Residential

NR

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 and
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 5.8

ARTICLE 4:
BUILDING, LOT & BUILDING SITE STANDARDS

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SECTION 4.2 PLAN REQUIRED.2

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.

Field Code Changed

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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(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).
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.
- ~~b.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.~~

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, except as provided in Tables 4.3.1-A - 4.3.1-U (District Standards).

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.

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

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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. – 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 law requiring liability for negligent or willful acts and omissions.
9. 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.

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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 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. 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.
3. Principal Building Facades shall be articulated as shown in (See **Illustration 4.3.5.A-3**).

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ILLUSTRATION 4.3.5.A-3 (FACADE ARTICULATION)

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)**.

ARTICLE 4: BUILDING, LOT & BUILDING SITE 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.

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ILLUSTRATION 4.3.5.D-1 (ROOF TYPES)

ILLUSTRATION 4.3.5.D-2 (ROOF PITCH)

4.3.6 Fences & Walls

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.

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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)**.

ARTICLE 4: BUILDING, LOT & BUILDING SITE 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.

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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

be no harmful impact to adjacent property owners or the public

3. 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.
4. 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.

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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 Summary) Table 4.3.7B (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)

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-on~~ each Development Parcel District is further regulated under Section 5.1.10.

TABLE 4.3.8.A PRINCIPAL BUILDING TYPES – SUMMARY

TABLE 4.3.8.B

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

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

limitations pursuant to Section 4.3.9.E and Table 4.3.9.A-3 (Temporary Uses).

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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)**.
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.

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,**

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

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.

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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.

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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

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

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C.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.

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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.

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D.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.~~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.

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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. 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.
- (6) The Accessory Dwelling must share ownership and utility connections with the primary dwelling.

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- 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:
- (5) Barns, feedLot or Building Sites, pens, and stockyards may be permitted in accordance with the applicable Use Table, subject to the following:
 - (6) Barns, feedLot or Building Sites, pens and stockyards shall require a minimum separation of 200 feet from all property lines.
 - (7) 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;

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- (8) 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.

- (9) 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) 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: ↗~~

- ~~(2)(1)~~ Within the CD-2, CD-3L, and CD-3 District n~~A~~ No more than three (3) Duplex Buildings (each Duplex Building containing two Dwellings) may be located on any Block Face.

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

~~(3)~~(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.

~~(4)~~(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.

~~(5)~~(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.

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(6) In all districts, Townhouses shall be subject to the following limitations:

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(a) Garages, when they are provided, must be located at the rear of the Building facing an Alley or Driveway;

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(b) Individual unit parking and driveways must be located at the rear of the Building;

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(c) On-street parallel parking is permitted;

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~~(6)~~(d) Parking Lots and Parking Areas are permitted in accordance with 4.3.9.E.6.ag and 4.3.12.

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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.

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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**.

g-h. 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-i. 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.
- (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.

h-j. 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.

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- (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.k. **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, vibration and other particulate matter in order to meet the performance standards as set out in this Ordinance.

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- (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.

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;

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;

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.

4.1. 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.

4.2. Food Truck Courts shall be permitted as a Principal Use on any Lot or Building Site in accordance with Table 4.3.9.A-1, subject to the following:

- (1) Approval of a Development Plan pursuant to Section 8.5.6. As part of the Development Plan application, the Zoning Administrator shall review the items listed below and may request review by other City of Columbia officials.
- (2) Each Food Truck operating within a Food Truck Court must hold a current Mobile Vending permit from the City of Columbia.

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- (3) A designated manager must be responsible for the orderly organization of the site, the cleanliness of the site, and compliance with all City of Columbia regulations.
- (4) The Food Truck Court must be kept clear of litter and debris at all times.
- (5) Waste receptacles must be provided on site during all hours of operation.
- (6) At least 30 percent of the lot or building site area must be shared common area not utilized for Food Truck stalls or parking.
- (7) The common area shall be designed for customer use and must include designated seating for patrons.
- (8) Electrical service must be provided on-site.
- (9) Food Truck Courts on lots or building sites greater than or equal to 0.50 acres in area must provide on-site accessible restroom facilities available for both customers and employees within a permanent structure.
- (10) Food Truck Courts on lots or building sites less than 0.50 acres in area must either provide
 - (a) on-site accessible restroom facilities; or
 - (b) a written agreement granting use of restrooms within 300 feet of the Food Truck Court for customers and employees during hours of operation.
- (11) Temporary or portable toilet facilities are not permitted.
- (12) Each Food Truck shall occupy a designated Food Truck Stall.
- (13) Food Truck stalls shall conform to the dimensional standards of a parallel parking stall in Table 4.3.12.C-1 and to the off-street parking surface requirements of the applicable Character District or Special District.
- (14) There shall be at least ten feet of unobstructed clearance between each Food Truck.
- (15) Food, drink, and other merchandise must be sold directly from Food Trucks or other Mobile Vending Apparatuses.
- (16) Except in Character District CD-5, the sale of alcohol in a Food Truck Court is prohibited.
- (17) Food Truck Courts with more than five Food Truck stalls must utilize a single point of sale system associated with a business entity with a situs and current business license and in the City of Columbia.
- (18) Required parking shall be provided
 - (a) as described at § 4.3.12.B.3;

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- (b) on another lot or building site within 1,320 feet of the Food Truck Court by parking agreement or easement, provided the principal use on the shared site shall maintain minimum required parking;
 - (c) On street space within 1,320 feet of the Food Truck Court; or
 - (d) a combination of a -c above.
- (19) The Food Truck Court operator shall provide a detailed operating plan which includes:
- (a) The maximum number of Food Trucks that can operate on the site at one time;
 - (b) A copy of the rules of operation to which Food Trucks operating on the site must adhere;
 - (c) A plan for the appropriate disposal of fats, oils, and grease which prevents release into the city sanitary sewer;
 - (d) Hours of operation of the Food Truck Court;
 - (e) Contact information for the designated manager;
 - (f) An explanation of how required parking will be provided; and
 - (g) An explanation of how required restroom facilities will be provided.
- (20) The Food Truck Court operator shall provide a plot or building site plan which depicts:
- (a) The exact location of each Food Truck stall;
 - (b) The location of all permanent structures on the property;
 - (c) Access, ingress, egress, and interior vehicular and pedestrian circulation;
 - (d) The location of any on-site parking;
 - (e) The location of landscaping;
 - (f) The location of all seating areas, trash receptacles and other movable and permanent physical elements of the Food Truck Court; and
 - (g) All other information deemed necessary by the Zoning Administrator.

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.

Commented [KM6]: All limited use standards below this point refelct renumbering from June 2023 ZTA.

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- (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;
 - (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.

g-p 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.

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g-p 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

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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.

P-Q. 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.

R-S. 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.

T-U. 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.

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- (3) Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.

5-t. 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.

6-u. 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.

6-v. 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 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.

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- (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 involves a change in activities in existing Structures. The Development Plan shall provide for compensating

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features to offset any potentially adverse conditions that might be brought about by said modification to the requirements.

~~W-X~~ **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.

~~W-X~~ **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.

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- (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 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.

***v. 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.
 - (a) 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:
 - (b) An evergreen hedge which is at least 24 inches in height; or
 - (c) Plantings which meet the requirements for plantings under Section 4.3.9.D.6.y(5).
- (3) Storage and repair activities shall be screened from off-site views.

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- (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.

~~4.3.2.~~ **Mobile Vending** shall be permitted in accordance with TABLE 4.3.9.A-3, subject to the following:

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- (1) Issuance of a Temporary Use Permit pursuant to Section 8.5.9.
- (2) All Mobile Vending shall be subject to the following requirements and limitations:
 - (a) Access, ingress, egress, and interior vehicular or pedestrian circulation at the vending location shall not be impeded.
 - (b) Mobile vendors may not obstruct corner or driveway sight triangles depicted in Tables 4.3.3.G.1 and 4.3.3.G.2.
 - (c) The primary use on site shall maintain an adequate parking supply.
 - (d) upon request of the Zoning Administrator or the Columbia Police Department the Mobile Vendor shall provide a written and signed agreement from the property owner, or owner's authorized agent, granting permission for the temporary use of the property, which shall include a provision for the usage of onsite 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 on a hard surface conforming to Section 4.3.12.C-7 or on properties with existing non-conforming parking areas with an approved driveway entrance.
 - (h) With the exception of Food Trucks, mobile vendors shall not remain on a single site for more than four (4) consecutive days.
 - (i) Food Trucks and shall remain movable at all times and may not be permanently secured to the site; upon request of the Zoning Administrator, each operator of a Food Truck must show current registration to operate the apparatus on public roads and demonstrate that the apparatus is movable.
 - (j) Mobile vendors must dispose of fats, oils, and grease appropriately and may not connect to city sanitary sewer.
 - (k) Any Mobile Vendor serving alcohol must be licensed by the Tennessee Alcoholic Beverage Commission and must comply with all regulations related to the sale of alcohol. Restroom facilities required for employees.

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- (l) Mobile Vendors operating at a location for a duration of more than four hours must have a written agreement, available upon request by the Zoning Administrator or the City of Columbia Police Department, that permits employees to have access to a restroom no more than 300 feet from the vending location during all the hours of operation.
- (3) Within Character District CD-5, Food Trucks and Pushcarts may be permitted to set up for service or to conduct business in the public right of way under the following criteria:
 - (a) Mobile Vending locations shall be limited to street segments designated as appropriate for Mobile Vending by the Zoning Administrator; the Zoning Administrator shall create a map of street segments designated for mobile vending at least quarterly; Mobile Vendors who set up for service in the right of way must verify allowable vending locations;
 - (b) Hours of operation shall be limited to 7:00 am to 10:00 pm;
 - (c) Only one parking space shall be occupied;
 - (d) Such Food Truck shall be removed from the parking space each day; no Food Truck may remain in the public rights of way for more than six (6) consecutive hours;
 - (e) Mobile Vendors shall not reserve, obstruct, or otherwise limit the use of parking spaces while not actually occupying the space;
 - (f) The Zoning Administrator, the Department of Public Works, or the City of Columbia Police Department may direct the Mobile Vendor to vacate the right of way at any time, the Mobile Vendor must immediately comply with directions to leave a parking space;
 - (g) The mobile vendor shall clearly identify the mobile vending area with traffic cones or similar device.
- (4) Within CIVIC Districts, Food Trucks may be permitted to set up for service or to conduct business under the following criteria:
 - (a) The Mobile Vendor holds a current Mobile Vending Permit
 - (b) The City of Columbia, or a person or organization that has entered into a use agreement with the City of Columbia, has invited the Mobile Vendor to cater a community event;
 - (c) The serving window of the Food Truck must face away from any right of way; and
 - (d) The mobile vendor shall clearly identify the mobile vending area with traffic cones or similar device.
- (5) Except as set forth in Section 4.3.9.D.6.x(3) 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 and Canteen Truck operations, shall not be permitted to set up for service or to conduct business on any public right-of-Way.

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- (6) 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(5), 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.
- (7) A canteen truck with a current mobile food vending permit may operate on private property or from the right of way adjacent to a construction site with an active building permit in order to cater to on-site workers: between the hours of 6:00 a.m. and 6:00 p.m. on week days; a Canteen Truck may not remain on any one site for more than one (1) hour each day; the serving window of the Canteen Truck must face private property.
- (8) An Ice Cream Truck with a current mobile food vending permit may operate on private property or from the right of way; an Ice Cream Truck may not remain at any one location for more than 15 minutes before relocating to another location not less than one-quarter mile from the previous location; the serving window of the Ice Cream Truck must face private property.
- (9) The Zoning Administrator may revoke the annual temporary use permit found to be in violation of any provision of this Ordinance.

4-3a. 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.
- (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.

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- aa. **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.
 - (c) The provisions of Section 4.3.9.D.6.a shall not apply.
- ab. **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.
- ac. **On-Street Vending** shall be permitted in accordance with the applicable Use Table, subject to the following:
- (2) Issuance of a Temporary Use Permit pursuant to Section 8.5.9.
- ad. **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.
- ae. **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.
- af. **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.
- ag. **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 continuous evergreen hedgerow of at least 24 inches and fence no more than ~~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.
 - (3) Compliance with all other applicable provisions of this Code related to Parking Lots.
- ah. **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.

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- (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.
- ai. **Short-Term Rental Units** shall be permitted in accordance 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 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.
- aj. **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.
- ak. **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.
- al. **Utility Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:

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- (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.

am. **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.

an. **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 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;

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- (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 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

ao. **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.
- (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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

permitted to enter the stormwater collection system.

- (5) Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.

E.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.

F.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.

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G.H. Temporary Uses

5. 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.
6. 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.
7. 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.
8. 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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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**.

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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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:

I. Modification

1. The Lot/Building Site/Parcel Buffer requirement at 4.3.11.H. 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
 - (d) site conditions render the required buffer ineffective.

2. The applicant may appeal the Zoning Administrator's determination as described in 8.5.17.

ILLUSTRATION 4.3.11.H-2 BUFFER

4.3.12 Parking

A. General.

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

4. Exemptions

- (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;

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

(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.

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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.

TABLE 4.3.12.B-2 (SHARED PARKING FACTOR)

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7.8. 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.

8.9. 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.

9.10. 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.

10.11. One out of every eight required handicapped accessible spaces shall be van-accessible. A minimum of one van-accessible space shall be provided.

11.12. 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)

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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)

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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 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.

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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 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 at least one pedestrian walkway bisecting the Parking Area or Parking Lot and connecting to adjoining sidewalks of a minimum width of

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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

- I. 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 with 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.

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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). 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

2. Parking of buses on the site of and directly associated with a permitted Non-Residential Use 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

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.

Commented [KM16]: Drive through illustration goes here.

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:
Table 4.3.12.H (Stacking Spaces)
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 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.

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

- 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.

4.3.13 Bicycle Parking

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.
5. Bicycle parking areas shall be separated from automobile parking and circulation areas by a physical barrier or a distance of feet.

Table 4.3.13 (Bicycle Parking)

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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)

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.

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.
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 space 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.

Commented [KM20]: Seems like this should be in a numbered suboagraph.

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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

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).

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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.

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.
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.

Commented [KM23]: none of the following but just one item. Why not "walls and trees...may not be removed without prior approval"?

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

Commented [KM24]: Native Plants table goes here.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

TABLE 4.3.16.D-2

Commented [KM25]: Genera mix of trees.

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 listed in Table 4.3.16.D-1 (Native Plants of the Tennessee Valley) and shrubs 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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

Commented [KM26]: List formatting doesn't make sense. Why not combine into single paragraph?

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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;
 - 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:
 - 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;
 - (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 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:

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- (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,~~ 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.~~
- (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 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.

Commented [KM27]: Odd format. Why not just start with "Each single-family..."

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~~guarantees 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 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.~~

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 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.

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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)

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 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.

Commented [KM28]: max foot candle table goes here.

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).

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.

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)

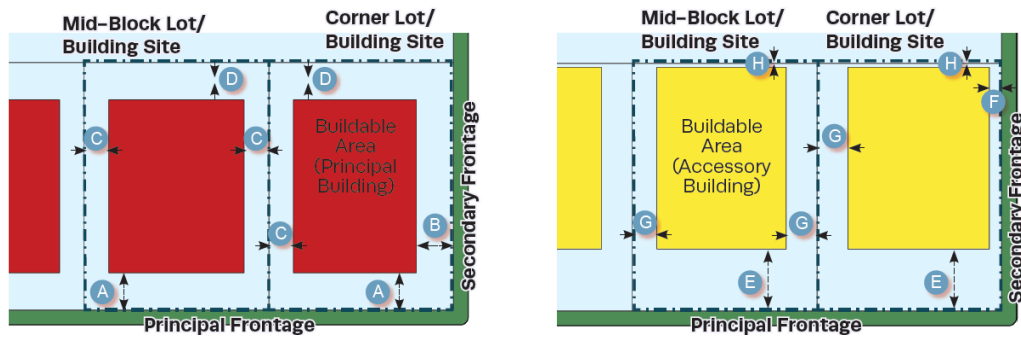
Permitted Uses

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

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 sp. 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 Footage	30 ft. min. A
Front Setback/ Yard Secondary Frontage	30 ft. min. B
Side Setback/ Yard Each side	20 ft. min. 30 ft. min, or 15 ft min C
Rear Setback	From center line of Alley D
Setbacks / 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

CD-2	TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT
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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 Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level	NR

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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 NR
Blank Walls	NP
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features

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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).

**CD-2 TABLE 4.3.1-A DISTRICT STANDARDS:
RURAL CHARACTER DISTRICT**

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 2 nd 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 <u>brick, or natural stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.</u>			
Porch Pier Cladding	Required; brick or natural stone, with any space under Porch concealed by painted or stained latticework between piers, <u>except renovations and minor expansions of existing structures, pier cladding, or absence of cladding, may match current material.</u>			
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

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 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	NP

CD-2	TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT
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All Other Vehicles	NP	NP in 3rd Layer only, and in Driveway
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Additional Parking Requirements	
Off-Street Parking Surface	P Prepared surface of gravel, asphalt, concrete, or other hard surface
Garage Location	In 2 nd or 3 rd Layer only; Min interior dimensions 10 ft. x 20 ft. per vehicle Parking space
Garage Design	If Garage faces Street in 1 st or 2 nd 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 1 st 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
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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 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	N/A
Drive- Through Locations	N/A

Non-Building Components

	1 st Layer	2 nd Layer	3 rd 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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd 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)

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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 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-2	TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT
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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

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	2 nd Layer Section 4.3.11.H Section 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3L **TABLE 4.3.1-B DISTRICT STANDARDS**
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT



General Description

The CD-3L Neighborhood Large Lot Character District consist 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 deep front Setback 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 Neighborhoods future land use Character Area described in the Comprehensive plan.

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 Unit 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)	NP		

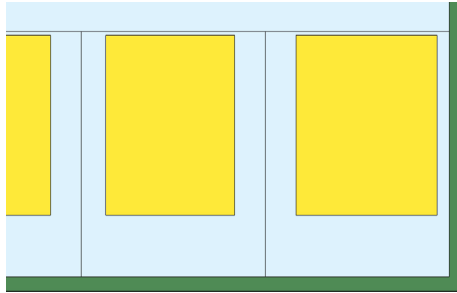
Civic Space Types*			
		*Applicable only to Development Parcels.	
Natural Area	P	Playground	P
Green	P	Sport Field	P
Square	NP	Community Garden	P
Plaza	NP	Pocket Park	P

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	
Principal Building	1 max
Accessory Buildings	2 max

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 $\leq 20\%$ 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 or Internal drive via Driveway or Easement.

Setbacks / Yards					
Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard	30 ft. min.	A	Front Setback/ Yard		
Principal Footage			Principal Frontage	20 ft.min + Principal Building Front Setback/ Yard	E
Front Setback/ Yard					
Secondary Frontage	30 ft. min.	B			
Side Setback/ Yard			Front Setback/ Yard		
Each side	12 ft. min.	C	Secondary Frontage	30 ft. min	F
			Side Setback/ Yard		
			Each side	10 ft. min	G
Rear Setback	30 ft. min, or 15 ft min	D			
	From centerline of rear alley		Rear Setback	5 ft. min, or 15ft. min	
				From centerline of rear alley	H

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/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

Ceiling Height

NR

Building Composition

Vertical Composition **NR** ~~Each Principal Building must have an identifiable Base, Middle, & Cap~~

Finished Floor Level **NR**

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages, located no further than 50% of 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 NR
Blank Walls	NP at Frontage
Façade Articulation	NR at Frontage
Façade Openings	Except House Building Types, windows, and/or doors spaced $\leq$ 20 ft. apart Except House Building Types, in Stories above first, Façade openings must be $\leq$ 50% of the total Façade area NR
Façade Glazing	Except House Building Types, 20% – 60% of total Façade area NR
Window Shape	Except House Building Types, square or vertical in proportion, except transoms NR
Window Alignment	Except House Building Types, upper floor windows and other features must be aligned with those of first floor NR
Window Types	Except House Building Types, and except for transoms and sidelights, Windows in Façade and 1st & 2nd Layers must be single hung, double hung, casement or awning types NR
Window Glazing Material	Except House Building Types, clear glass is Required for all Elevations NR
Window Trim in 1 st 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 NR
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 NR
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

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CD-3L	TABLE 4.3.1-B DISTRICT STANDARDS: NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT
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CD-3L	TABLE 4.3.1-B DISTRICT STANDARDS: NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT
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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 roof 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 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 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 alongside Elevations through 2 nd 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	NR
Foundation Cladding	Required; brick or natural stone 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	Required; 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.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

CD-3L **TABLE 4.3.1-B DISTRICT STANDARDS:**
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

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).

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 3 rd layer only, and in Driveway	
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway	
Heavy Equipment	NP	P in 3 rd 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	NP in 3rd Layer only, and in Driveway	

Additional Parking Requirements

Off-Street Parking Surface	P Prepared surface of gravel , asphalt, concrete, or another hard surface <u>for 30 feet from Thoroughfare or Internal Drive, gravel permitted for any remaining depth of driveway.</u>
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Garage Location	P In 2 nd or 3 rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space If Garage faces Street in 1 st or 2 nd layer: max. Garage door width 33% of total Garage + Façade width
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 – 20 ft. in 1 st Layer
Parking Structure	NP
Parking Structure Pedestrian Exit Location	N/A

CD-3L

TABLE 4.3.1-B DISTRICT STANDARDS:
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

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

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TABLE 4.3.1-B DISTRICT STANDARDS:
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

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Loading & Access	
Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	N/A
Drive- Through Locations	N/A

Non-Building Components

	1 st Layer	2 nd Layer	3 rd 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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	P	P
Animals 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)

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; with one (1) tree min per 50 ft. of Frontage and continuous shrubs around foundation at 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 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	Required
Locations of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-3L

TABLE 4.3.1-B DISTRICT STANDARDS:
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

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

Additional Standards	
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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	2 nd Layer Section 4.3.11.H Section 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3 TABLE 4.3.1-C DISTRICT STANDARDS
NEIGHBORHOOD CHARACTER DISTRICT



General Description

The CD-3 Neighborhood Large Lot Character District consist of primarily medium density single-family detached Residential area in which House is the predominant Building type. It has medium to deep front Setback and medium to wide side Setbacks. Its Thoroughfares and Internal Drives have curbs and may include Sidewalks, and/or street tress, and form medium to large blocks. CD-3 is an appropriate District for the Suburban Neighborhoods future land use Character Area described in the Comprehensive plan; it is also appropriate for City Center Urban Village Future Land Use Character Area where the Planning Commission determines that is compatible with the established land use pattern in the surrounding area.



CD-3 TABLE 4.3.1-C DISTRICT STANDARDS:
NEIGHBORHOOD CHARACTER DISTRICT

Density / Floor Area Ratio (FAR)	*Applicable only to Development Parcels
4 Density Unit per acre max	

BLOCK SIZE*	*Applicable only to Development Parcels
Block Perimeter	2800 ft. max

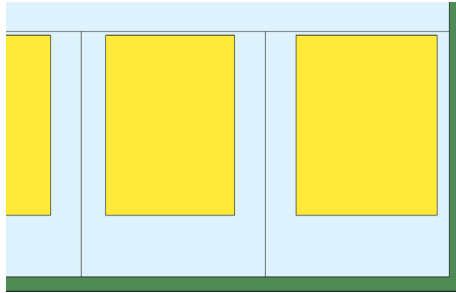
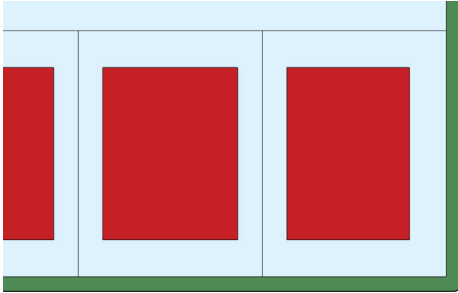
Private Frontage Types			
Common Yard	P	Stepfront	NP
Porch	P	Shopfront	NP
Fence	P	Gallery	NP
Terrace/Lightwell	NP	Arcade	NP
Forecourt	NP	Officefront	NP
Stoop	P		
See Table 4.3.7.A (Private Frontage Types)			

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	
Principal Building	1 max
Accessory Buildings	2 max

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 $\leq 20\%$ 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. The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.O.
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard	25 ft. min.	A	Front Setback/ Yard		
Principal Footage			Principal Frontage	20 ft.min behind Principal Building Frontage	E
Front Setback/ Yard					
Secondary Frontage	20 ft. min.	B			
Side Setback/ Yard			Front Setback/ Yard		
Each side	8 ft. min.	C	Secondary Frontage	20 40 ft. min	F
Rear Setback			Side Setback/ Yard		
	25 ft. min, or 15 ft min		Each side	5 ft. min	G
	From centerline of rear alley	D			

Rear Setback/ Yard 5 ft. min, or 15ft. min
From centerline of rear alley H

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/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to with the above cited codes shall be required. *

Ceiling Height

NR

Building Composition

Vertical Composition ~~NR~~ Each Principal Building must have an identifiable Base, Middle, & Cap

Finished Floor Level NR

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages, located no further than 50% of 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 NR
Blank Walls	NP at Frontage
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 NR
Façade Glazing	Except House Building Types, 20%—60% of total Façade area NR
Window Shape	Except House Building Types, square or vertical in proportion, except transoms NR
Window Alignment	Except House Building Types, upper floor windows and other features must be aligned with those of first floor NR
Window Types	Except House Building Types, and except for transoms and sidelights, Windows in Façade and 1st & 2nd Layers must be single hung, double hung, casement or awning types NR
Window Glazing Material	Except House Building Types, clear glass is Required for all Elevations NR
Window Trim in 1 st 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 NR
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 NR
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

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CD-3	TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT

CD-3	TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT
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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 roof 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 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 siding	P for Residential Use
	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 alongside Elevations through 2 nd 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	NR
Foundation Cladding	Required; brick or natural stone 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	Required; 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.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

CD-3

TABLE 4.3.1-A DISTRICT STANDARDS:
NEIGHBORHOOD CHARACTER DISTRICT

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).

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TABLE 4.3.1-A DISTRICT STANDARDS:
NEIGHBORHOOD CHARACTER DISTRICT

Vehicular Parking Requirements			
Parking Location			
	On-Street Parking		Off-Street Parking
Domestic Vehicles	P		P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP		P in 3 rd layer only, and in Driveway
Heavy Equipment	NP		P in 3 rd 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 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	P Prepared surface of gravel , asphalt, concrete, or another hard surface <u>for 100 feet from Thoroughfare or Internal Drive, gravel permitted for any remaining depth of driveway.</u>
Garage Location	P In 2 nd or 3 rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space If Garage faces Street in 1 st or 2 nd layer: max. Garage door width 33% of total Garage + Façade width
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	180 ft. max in 1 st Layer
Parking Structure	NP
Parking Structure Pedestrian Exit Location	N/A

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CD-3 **TABLE 4.3.1-A DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT**

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

CD-3 **TABLE 4.3.1-A DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT**

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd 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	P	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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	P	P
Animals 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)

CD-3 TABLE 4.3.1-A DISTRICT STANDARDS:
NEIGHBORHOOD CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

In compliance with Section 4.3.16; with one (1) tree min per 50 ft. of Frontage and continuous shrubs around foundation at 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 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	Required
Locations of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-3 **TABLE 4.3.1-A DISTRICT STANDARDS:**
NEIGHBORHOOD CHARACTER DISTRICT

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

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)
Thoroughfare from Non-Family Residential 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	2 nd Layer
Parcel Buffer	Section 4.3.11.H
Project Buffer	Section 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4

TABLE 4.3.1-D DISTRICT STANDARDS

GENERAL URBAN CHARACTER DISTRICT



General Description

The CD-4 General Urban Character District consist 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. Has Thoroughfares and Internal Drives with curbs, Sidewalks and tress that define medium-sized blocks. CD-4 is an appropriate District for the City Center Urban Village Future Land Use described in the Comprehensive Plan.



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)			

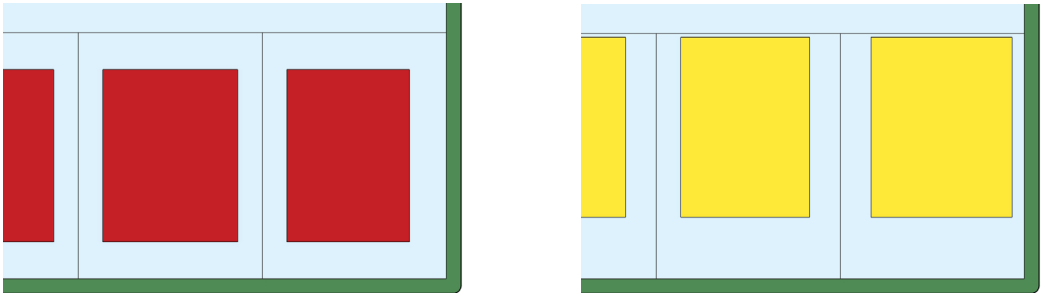
Civic Space Types*		*Applicable only to Development Parcels.	
Natural Area	P	Playground	P
Green	P	Sport Field	P
Square	P	Community Garden	P
Plaza	NP	Pocket Park	P
See Table 5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B (Civic Space - Specific Standards)			

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	
Principal Building	1 max
Accessory Buildings	1 max

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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 x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit X 8max. attached Townhouse units All other Building Types: 18 ft. max All Building Types: 120 ft max
Frontage Buildout	60% min
Lot/ Building Site Area	NR
Impervious Surface Coverage	80% max
Lot/ Building Site Enfrontment	<u>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;</u> 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. <u>The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.O.</u>
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

CD-3 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / 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. - 20 ft. min.	B			
Side Setback/ Yard Each side	0 ft min between individual Townhouse Units & Duplex Units; otherwise 6ft min	C	Front Setback/ Yard Secondary Frontage	50 ft. min	F
			Side Setback/ Yard Each side	0 ft. min	G
Rear Setback	25 ft. min, or 15 ft min From centerline of rear alley	D	Rear Setback/ Yard	3 ft. min, or 5 ft. min From centerline of rear alley	H

CD-4

TABLE 4.3.1-D DISTRICT STANDARDS:

GENERAL URBAN CHARACTER DISTRICT

Building Standards	
Building Height*	
Principal Building	3 Stories max
Accessory Building	2 Stories max
*Stories/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *	
*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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 11ft. with a maximum of 25 ft. Shopfront Facade, which may not exceed 25ft.	
Building Composition	
Vertical Composition	Each Principal Building must have an identifiable Base, Middle & Cap
Finished Floor Level	If Residential: 18 ft., 48 in. max above average grade at Facade facade

CD-4

TABLE 4.3.1-D DISTRICT STANDARDS:

GENERAL URBAN CHARACTER DISTRICT

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may e at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade 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)
Façade Openings	Windows, and/or doors spaced $\leq$ 20 ft. apart In Stories above first Façade openings must be $\leq$ 50% of the total Façade area
Façade Glazing	20% - 60% of total ground floor Façade area
Window Shape	Square or vertical in proportion, except 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 Façade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st 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
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
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
Façade Variety	<u>Within a Development Parcel n</u> No Façade may exist more than once in a Block Face or within view of the same Façade

CD-4 ~~TABLE 4.3.1 D-DISTRICT STANDARDS:~~ GENERAL URBAN CHARACTER DISTRICT

Building Standards (continued)

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	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).

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TABLE 4.3.1-D DISTRICT STANDARDS:
GENERAL URBAN CHARACTER DISTRICT

Building Materials

Primary Building Material on Facades	Brick	P	Exposed concrete	NP
	Natural stone	P	Vinyl or Aluminum siding	NP
	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 alongside Elevations through 2 nd 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	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim
Foundation Cladding	Required; 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	Required; 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	Required; brick, natural stone, with material matching primary material of Façade

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).

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CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd 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 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Asphalt, concrete, or another hard surface
Garage Location	P In 3 rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space If Garage faces Street in 1 st or 2 nd layer: max. Garage door width 33% of total Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 ft. max in 1 st Layer if Residential; 36 ft. max in 1 st layer if non-Residential; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

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

CD-4 TABLE 4.3.1-D DISTRICT STANDARDS: GENERAL URBAN CHARACTER DISTRICT

Loading & Access	
Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components			
	1 st Layer	2 nd Layer	3 rd Layer
HVAC 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 if coplanar to and integrated into roof design	P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	NP	P
Animals 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)

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TABLE 4.3.1-D DISTRICT STANDARDS:
GENERAL URBAN CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

Required continuous shrubs around foundation at Frontage if 1st Layer ≥3ft. deep, plus if 1st Layer is ≥ 15ft. deep, 1 tree planted in 1st Layer every 50’ ft of Frontage. Drive aisles within 1st Layer, continuous shrubs Landscaping must comply with Section 4.3.16

Walls & Fencing

- Height4 ft max at Frontage, otherwise 6 ft max; height measured from avg. undisturbed grade of Adjacent property at property line
- ConstructionFinished side must face Adjacent property, Thoroughfare, Path, Passage or Waterbody
- MaintenanceMust 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 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

Required

Locations of Retaining Walls

P within required Yards, per Section 4.3.10
If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

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	3 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards	
Non-Residential & Multi-Family Residential Screen. Street-Screen Adjacent to or across Thoroughfare from Non-Family Residential	NR
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 and 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

2nd Layer

Parcel Buffer

Section 4.3.11.H

Project Buffer

Section 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4C TABLE 4.3.1-E 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 parcels identified as Facilitate or Active on the Areas of Change map of the Comprehensive Plan, which have access onto a public right-of-way classified as principal arterial or minor arterial in the Transportation element of the Plan and are located in Suburban Neighborhoods and City Center Urban Village Future Land Use described in the Comprehensive Plan.



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

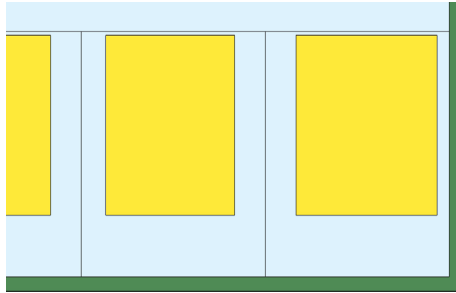
Private Frontage Types			
Common Yard	P	Stepfront	NP
Porch	P	Shopfront	P
Fence	P	Gallery	P
Terrace/Lightwell	P	Arcade	NP
Forecourt	P	Officefront	P
Stoop	P		
See Table 4.3.7.A (Private Frontage Types)			

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	
Principal Building	1 max
Accessory Buildings	1 max

CD-4C **TABLE 4.3.1-E 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 x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit x6max. 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. The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.O
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

CD-3C **TABLE 4.3.1-E DISTRICT STANDARDS:**
GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard	6 ft min; 40 ft max.;	A	Front Setback/ Yard		
Principal Footage	<u>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</u>		Principal Frontage	20 ft.min behind Principal Building Frontage;	E
				<u>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</u>	
Front Setback/ Yard			Front Setback/ Yard		
Secondary Frontage	6 ft. min - 40 ft. max.	B	Secondary Frontage	5 ft. min	F
Side Setback/ Yard			Side Setback/ Yard		
Each side	0 ft min per side	C	Each side	5 ft. min	G
Rear Setback			Rear Setback/ Yard		
	3 ft. min, or 15 ft min	D		3 ft. min, or 5 ft. min	H
	From centerline of rear alley			If Garage door faces Rear Alley	

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/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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 11ft. with a maximum of 25 ft.~~ Shopfront Facade, which may not exceed 25 ft.

Building Composition

Vertical Composition Each Principal Building must have an identifiable Base, Middle & Cap

Finished Floor Level **NR**

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage

Façade 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)
Façade Openings	Windows, and/or doors spaced $\leq$ 20 ft. apart In Stories above first Façade openings must be $\leq$ 50% of the total Façade area
Façade Glazing	Non-Shopfront: 20% - 60% of total <u>ground floor</u> Façade area for Shopfront: <u>min. 50% of total ground floor Façade area, min. 20% of total Façade area on upper floors and secondary elevations</u>
Window Shape	Square or vertical in proportion, except 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 Façade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st 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
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
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
Façade Variety	No Façade may exist more than once in a Block Face or within view of the same Façade
CD-4C TABLE 4.3.1-E DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT	

Building Standards (continued)	
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).

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TABLE 4.3.1-D DISTRICT STANDARDS:
GENERAL URBAN CHARACTER DISTRICT

Building Materials			
Primary Building Material on Facades	Brick	P	Authentic stucco over masonry P
	Natural stone	P	Exposed concrete NP
	Wood	P	Vinyl or Aluminum siding NP
	Cementitious siding	P	Corrugated and/or sheet metal NP

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd 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	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim
Foundation Cladding	Required; brick or natural stone 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	Required; 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.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

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).

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TABLE 4.3.1-E DISTRICT STANDARDS:
GENERAL URBAN CORRIDOR CHARACTER DISTRICT

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in 3 rd layer only, and in Driveway
All Other Vehicles	NP	P in 3 rd Layer only, and in Driveway; <u>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.</u>

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Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete, or another hard surface
Garage Location	P In 3 rd 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 Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 ft. max in 1 st Layer if Residential; 36 ft. max in 1 st layer if non-Residential; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings

Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage
<u>Pedestrian connections through to Adjacent Neighborhoods or Uses</u>	<u>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</u>

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

CD-4C TABLE 4.3.1-E DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	NP	P
Animals 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
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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)

CD-4C

TABLE 4.3.1-E DISTRICT STANDARDS:
GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

Required continuous shrubs around foundation at Frontage if 1st Layer ≥ 3ft. deep, plus if 1st Layer is ≥ 15ft. deep, 1 tree planted in 1st Layer every 50’ ft of Frontage. Drive aisles within 1st Layer, continuous shrubs Landscaping must comply with Section 4.3.16

Walls & Fencing

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, 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 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
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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 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-4C

TABLE 4.3.1-E DISTRICT STANDARDS:
GENERAL URBAN CORRIDOR CHARACTER DISTRICT

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	3 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards

Non-Residential & Multi-Family Residential
Screen. Street-Screen Adjacent to or across
Thoroughfare from Non-Family Residential

NR

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	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.	
Required ; except at Driveways: Parking Lots and Parking Areas must be Screened	<u>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.</u>	Formatted: Indent: Left: 4"
Rooftop Antenna Screening and 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	2 nd Layer	
Parcel Buffer	Section 4.3.11.H	
Project Buffer	Section 5.8	

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5 TABLE 4.3.1-F DISTRICT STANDARDS
URBAN CENTER CHARACTER DISTRICT



General Description

The CD-5 Urban Center Character District consists of medium to higher density Mixed Use areas. It has a tight network of Thoroughfares and Internal Drives with Sidewalks, streetlights, and regular tree spacing, defining medium sized blocks. Buildings are set close to the Sidewalks. CD-5 is an appropriate District for the City Center Urban Village Future Land Use described in the Comprehensive Plan.

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	2000 ft. max or 3000 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)			

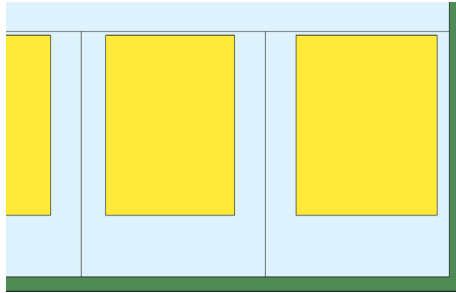
Civic Space Types*		*Applicable only to Development Parcels.	
Natural Area	NP	Playground	P
Green	NP	Sport Field	NP
Square	P	Community Garden	P
Plaza	P	Pocket Park	P

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	
Principal Building	1 max
Accessory Buildings	1 max

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER 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 x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit x6max. attached Townhouse units Large Scale Commercial: 600 ft max All other Building Types: 18 ft. min – 120 ft. max
Frontage Buildout	80% min except House and Duplex 60% min
Lot/ Building Site Area	NR
Impervious Surface Coverage	100% max
Lot/ Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except $\leq 20\%$ 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 or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard	0 ft at corners; 0 ft min.	A	Front Setback/ Yard		
Principal Footage	15 ft max elsewhere		Principal Frontage	40 ft max from rear Property Line; except	E
Front Setback/ Yard			Side Setback/ Yard	3 ft max	F
Secondary Frontage	0 ft at corners, 0 ft min.	B			
	15 ft max elsewhere		Rear Setback/ Yard	3 ft min or 5 ft min if Garage door faces Alley	G
Side Setback/ Yard					
Each side	0 ft min; 24 ft max per side	C			
Rear Setback	NR	D			

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/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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 11ft. 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 average grade at Façade

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade 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)
Façade Openings	Windows, and/or doors spaced $\leq$ 20 ft. apart In Stories above first Façade openings must be $\leq$ 50% of the total Façade area
Façade Glazing	Non-Shopfront: 20% - 60% of total ground level Façade area; for non-Shopfront, Shopfront: min 5-70% of total ground level Façade area, min. 20% of total Façade area on upper floors and secondary elevations for Shopfront
Window Shape	Square or vertical in proportion, except 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 Façade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Façade openings must be $\leq$ 50% of total Façade area.
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st 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
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
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 in a Block Face or within view of the same Facade
CD-5	TABLE 4.3.1-F DISTRICT STANDARDS
	URBAN CENTER CHARACTER DISTRICT

Building Standards (continued)	
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
	Wood	P	Vinyl or Aluminum siding NP
	Cementitious siding	P	Corrugated and/or sheet metal NP

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd 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	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim

Building Types			
House	P		Commercial P
	P		Mixed Use P
	P		Flex P
	P		Mid-Rise P
	P		Large Scale Commercial NP
	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).

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 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in 3 rd layer only, and in Driveway
All Other Vehicles	NP	P in 3 rd Layer only, and in Driveway

Additional Parking Requirements	
Off-Street Parking Surface	Prepared surface of asphalt, concrete, or another hard surface
Garage Location	P In 3 rd 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 Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	24 ft. max in 1 st Layer; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

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

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	NP	P
Animals 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)

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

NA if paved or ≤ 3ft front Setback/ Yard; Otherwise, shrubs continuous around foundation at Façade. Landscaping must comply with Section 4.3.16

Walls & Fencing

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, 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

Required

Locations of Retaining Walls

P within required Yards, per Section 4.3.10
If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER CHARACTER DISTRICT

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	3 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards	
Non-Residential & Multi-Family Residential Screen. Street-Screen Adjacent to or across Thoroughfare from Non-Family Residential	NR
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 and 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	2 nd Layer Section 4.3.11.H Section 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

Commented [PK2]: No changes noted for CD-5C

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 medium to 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 Sidewalks. CD-5C is limited to parcels identified as Active on the Areas of Change map of the Comprehensive Plan which have access to a Principal Arterial identified in the Transportation Plan located in the City Center Urban Village Character Area described in the Comprehensive Plan.

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	2000 ft. max or 3000 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*

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)

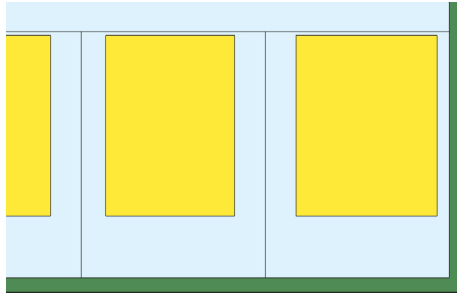
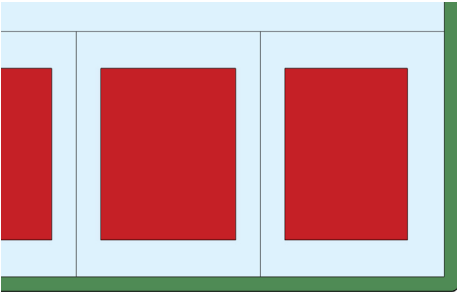
Permitted Uses

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).
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Number of Buildings

Principal Building	1 max
Accessory Buildings	1 max

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 x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit x8 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 $\leq 20\%$ 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 or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard Principal Footage	0 ft at corners; 0 ft min. 15 ft max elsewhere	A	Front Setback/ Yard Principal Frontage	40 ft max from rear Property Line.	E
Front Setback/ Yard Secondary Frontage	0 ft at corners, 0 ft min. 15 ft max elsewhere	B	Side Setback/ Yard	3 ft max	F
Side Setback/ Yard Each side	0 ft min; 24 ft max per side	C	Rear Setback/ Yard	3 ft min or 5 ft min if Garage door faces Alley	G
Rear Setback	NR	D			

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/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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 11ft. 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 average grade at Façade

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade 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)
Façade Openings	Windows, and/or doors spaced $\leq$ 20 ft. apart In Stories above first Façade openings must be $\leq$ 50% of the total Façade area
Façade Glazing	20% - 60% of total Façade area for non-Shopfront; 70% of total Façade area, min. for Shopfront
Window Shape	Square or vertical in proportion, except 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 Façade and 1 st & 2 nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Façade openings must be $\leq$ 50% of total Façade area.
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st 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
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
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
Façade Variety	No Façade may exist more than once in a Block Face or within view of the same Façade

CD-5C **TABLE 4.3.1-G DISTRICT STANDARDS**
URBAN CENTER CORRIDOR CHARACTER DISTRICT

Building Standards (continued)

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
	Wood	P	Vinyl or Aluminum siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd 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	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim
Foundation Cladding	Required; brick or natural stone 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	Required; brick or natural stone 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.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

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).

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 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in 3 rd layer only, and in Driveway
All Other Vehicles	NP	P in 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete, or another hard surface
Garage Location	P In 3 rd 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 Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	24 ft. max in 1 st Layer; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

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

CD-5C **TABLE 4.3.1-G DISTRICT STANDARDS**
URBAN CENTER CORRIDOR CHARACTER DISTRICT

Loading & Access	
Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components			
	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	NP	P
Animals 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)

CD-5C	TABLE 4.3.1-G DISTRICT STANDARDS URBAN CENTER CORRIDOR CHARACTER DISTRICT
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Private Landscaping and Fencing

Landscaping

NA if paved or ≤ 3ft front Setback/ Yard; Otherwise, shrubs continuous around foundation at Façade. Landscaping must comply with Section 4.3.16

Walls & Fencing

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, 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 **Required**

Locations of Retaining Walls **P** within required Yards, per Section 4.3.10
If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-5C

TABLE 4.3.1-G DISTRICT STANDARDS
URBAN CENTER CORRIDOR CHARACTER DISTRICT

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	3.5 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards

Non-Residential & Multi-Family Residential Screen. Street-Screen Adjacent to or across Thoroughfare from Non-Family Residential	NR
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 and 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	2 nd Layer Section 4.3.11.H Section 5.8



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 ~~striketrough~~ 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.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: PUBLIC HEARING ON ORDINANCE NO. 4517 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING DEVELOPMENT PARCEL STANDARDS IN ARTICLE 5 BY REPEALING AND REPLACING SUCH ARTICLE 5 WITH A NEW ARTICLE 5 DEVELOPMENT PARCEL STANDARDS

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 5: Development Parcel Standards, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero. The required notice of Public Hearing was advertised on July 24, 2024 in The Daily Herald.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance 4517, Exhibit A, Marked Changes "A", DS Staff Report.

**AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING
THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE
REGARDING DEVELOPMENT PARCEL STANDARDS IN ARTICLE 5 BY
REPEALING AND REPLACING SUCH ARTICLE 5 WITH A NEW ARTICLE 5
DEVELOPMENT PARCEL STANDARDS**

WHEREAS, Section §13-7-201 of the Tennessee Code Annotated empowers the city to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals and general welfare of the city to enact such an ordinance; and

WHEREAS, the City Council, pursuant to the provisions of Section §13-4-101 of the Tennessee Code Annotated has appointed a Planning Commission to recommend the appropriate regulations to be enforced therein; and

WHEREAS, on the 5th day of June 2024, the Planning Commission reviewed and recommended specific changes in accordance to Section 8.5.18, to the Zoning Ordinance regarding Development Parcel Standards in Article 5. As a result, Article 5 is being repealed in its entirety and replaced with a new Article 5 which is attached hereto as Exhibit "A" and incorporated herein by reference. Said recommendations are being considered after a public hearing held on the 8th day of August, 2024, notice of which was published in the Daily Herald of Columbia fifteen (15) days or more prior to said meeting; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That Ordinance Number 4400, the same being the Zoning Ordinance of the City of Columbia, Tennessee is hereby amended by repealing and deleting Article 5 in its entirety and replacing such Article with a new Article 5, Development Parcel Standards, which is attached hereto as Exhibit "A" and incorporated herein by reference;

Section 2: That the City Council satisfies the requirements of Section 8.5.18.J.4, by making specific findings as to the following:

- 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.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
COLUMBIA, TENNESSEE, this the 12th day of September, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY -- CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration: _____

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, of any Lot, Building Site, or other parcel of land;

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;

D. USE.

Use of any Structure, Lot, Building Site, or other parcel of land;

E. APPLICATIONS AND ACTIONS.

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.

5.1.4 PEDESTRIAN SHEDS.

A. PARCEL TO BE BASED ON PEDESTRIAN SHED.

Each Development Parcel 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.

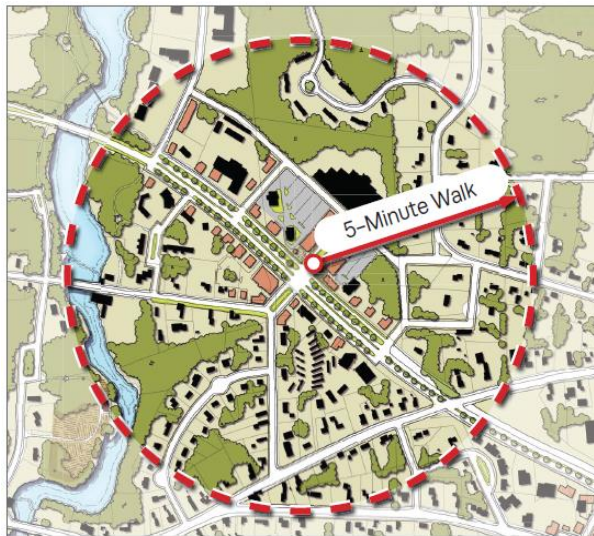
B. COMMON DESTINATION.

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 may be smaller or larger than the Pedestrian Shed within which it is situated.

**ILLUSTRATION 5.1.4.B-1
STANDARD PEDESTRIAN SHED**



**ILLUSTRATION 5.1.4.B-2
LINEAR PEDESTRIAN SHED**



5.1.5 THOROUGHFARE / INTERNAL DRIVE NETWORK.

The Thoroughfare and Internal Drive network shall be laid out according to Section 5.2.

5.1.6 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)**.

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

5.1.7 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 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

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:

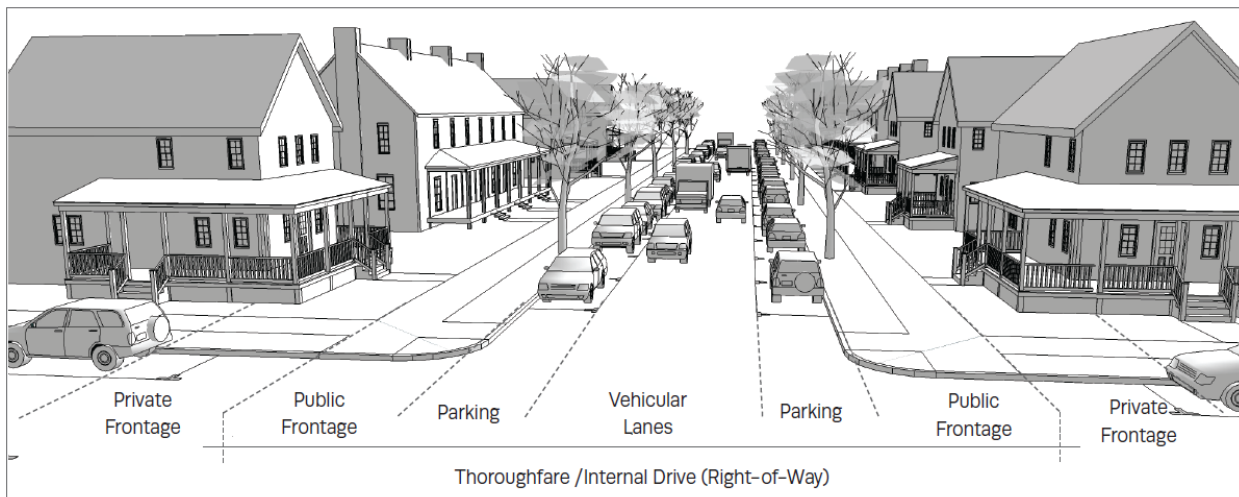
A. ACCESS.

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.

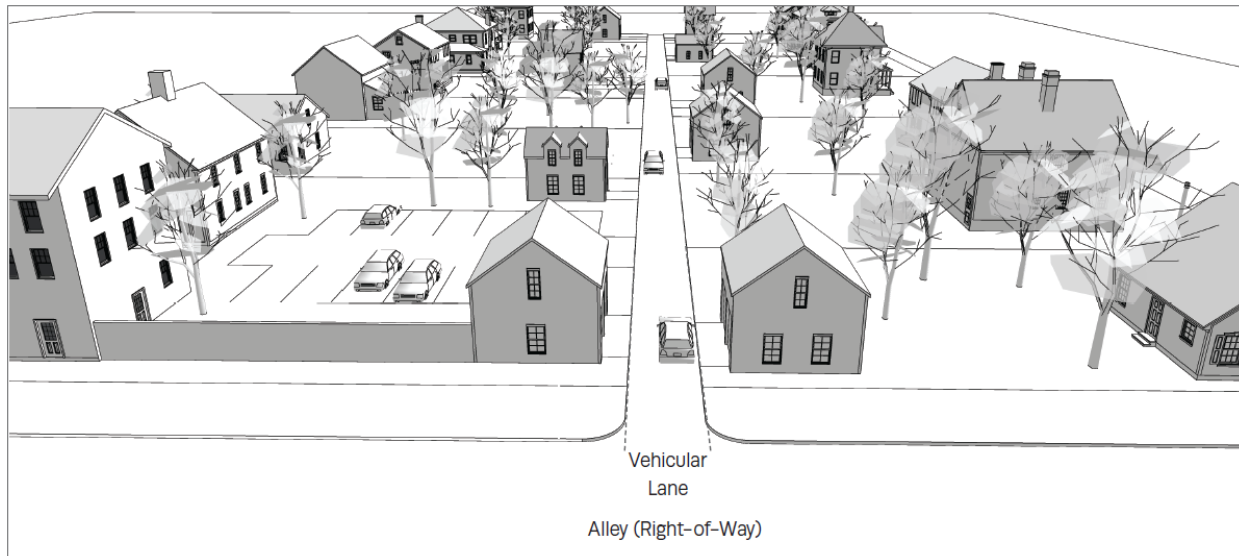
1. Each Thoroughfare and Internal Drive shall consist of Public Frontage, Vehicular Travel Lanes and any required Vehicular Parking Lanes, any allowed Loading Spaces, and any required Bicycle Accommodations. See **Illustration 5.2.2.B-1 (Thoroughfare / Internal Drive Components)** and details shown in the Engineering Standards & Specifications.

ILLUSTRATION 5.2.2.B-1 THOROUGHFARE / INTERNAL DRIVE COMPONENTS



2. Each Alley shall consist of the elements shown in the Engineering Standards & Specifications.

ILLUSTRATION 5.2.2.B-2 ALLEY COMPONENTS



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. BLOCKS.

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 the 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.

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.
2. Cul-de-sacs are prohibited 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.

TABLE 5.2.2.F THOROUGHFARE / INTERNAL DRIVE TYPES – SUMMARY

ESS Detail	Applicable District	Name
DS01	CD2	RURAL NEIGHBORHOOD ROADSIDE DITCH
DS02	CD2	RURAL NEIGHBORHOOD CURBED
DS06	CD3L	LARGE LOT NEIGHBORHOOD
DS10	CD3	SUBURBAN NEIGHBORHOOD PARALLEL PARKING BOTH SIDES
DS11	CD3	SUBURBAN NEIGHBORHOOD PARALLEL PARKING ONE SIDE
DS12	CD3	SUBURBAN NEIGHBORHOOD NO PARALLEL PARKING
DS13	CD3	SUBURBAN BOULEVARD PARALLEL PARKING BOTH SIDES
DS14	CD3	SUBURBAN BOULEVARD NO PARALLEL PARKING
DS18	CD4	URBAN NEIGHBORHOOD PARALLEL PARKING BOTH SIDES
DS19	CD4	URBAN NEIGHBORHOOD NO PARALLEL PARKING
DS20	CD4C	URBAN CENTER PARALLEL PARKING BOTH SIDES
DS21	CD4C	URBAN CENTER NO PARALLEL PARKING
DS22	CD4/4C	URBAN BOULEVARD PARALLEL PARKING BOTH SIDES
DS23	CD4/4C	URBAN BOULEVARD NO PARALLEL PARKING
DS24	CD4/4C	URBAN BOULEVARD 4 LANE
DS25	CD4/4C	URBAN AVENUE PARALLEL PARKING BOTH SIDES
DS26	CD4/4C	URBAN AVENUE NO PARALLEL PARKING
DS27	CD4/4C	URBAN AVENUE 4 LANE
DS34	SD-LI/SD-INT/SD/HI	INDUSTRIAL TWO LANE
DS35	SD-LI/SD-INT/SD/HI	INDUSTRIAL THREE LANE
DS39	CD4/4C/CD5	INTERNAL DRIVE COMMERCIAL AND MIXED-USE
DS40		INTERNAL DRIVE INDUSTRIAL

Thoroughfares shall conform to the applicable standard detail in the City of Columbia Engineering Standards and Specifications (ESS). Where multiple standard details are available, the Zoning Administrator shall determine which standard is appropriate. The City Engineer may modify the composition of a Thoroughfare assembly as described in the ESS. The Zoning Administrator shall assign an appropriate Thoroughfare assembly for any Planned Unit Development based on the Character District with the most similar density, intensity, and character.

G. ASSEMBLIES & STANDARDS.

Thoroughfares and Internal Drives within Districts and Adjacent to Districts shall conform to the applicable standards for such Districts set forth in the City of Columbia Engineering Standards & Specifications.

All street specifications shall meet engineering standards and are subject to approval by the Planning Commission. Elements of the street sections may be altered and approved by the City Engineer.

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.
- b. Boulevards and Avenues shall comprise a portion of the total Thoroughfare length in each Development Parcel with the following districts:
- 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.

TABLE 5.2.2.G.1

CD-3	10%
CD-4	10%
CD-4C	20%
PUD-R	20%
PUD-MU	20%

H. ADDITIONAL PEDESTRIAN WALKWAYS.

1. Pedestrian Access
 - a. Pedestrian ways, linkages and paths shall be provided from the Main Entrance of each principal Building to surrounding Thoroughfares, Internal Drives, external sidewalks, and 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 shall connect Buildings, facilities, elements and Parking spaces that are on the same Lot, Building Site, or Development Parcel.

2. PEDESTRIAN CROSSWALKS.

Crosswalks shall provide pedestrian access 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. INTERNAL DRIVES.

Any Internal Drives shall be placed in a public access Easement and recorded as part of a Final Plat.

K. Alleys.

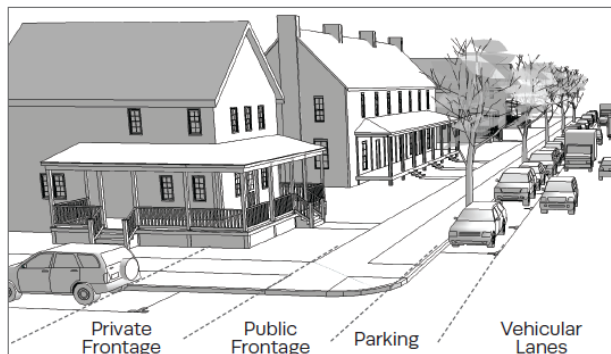
Alleys shall comply with the assembly and standards of the city of Columbia Engineering Standards & Specifications.

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 the City of Columbia Engineering Standards & Specifications. 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.

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 the City of Columbia Engineering Standard & 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.

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 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. Trees shall be centered horizontally; and
2. Trees shall be placed minimally:
 - a. At least two (2) feet from walkways, curbs, and other impervious surfaces if planted in a tree well or continuous planter;
 - b. At least three (3) feet from walkways, curbs, and other impervious surfaces if planted in a continuous Swale or uncontained area.
 - c. At least five (5) feet from street lights, utility meters and service lines, fences, walls and other ground level obstructions;
 - d. At least six (6) feet from porch eaves, awnings and similar overhead obstructions associated with the ground level of Buildings; and

- e. At least 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.

1. A bicycle network comprised of the various allowed Bikeway Types indicated in **Table 5.2.4.B (Bikeway Types)** shall be provided through each Development Parcel of 10 acres or more.
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 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.

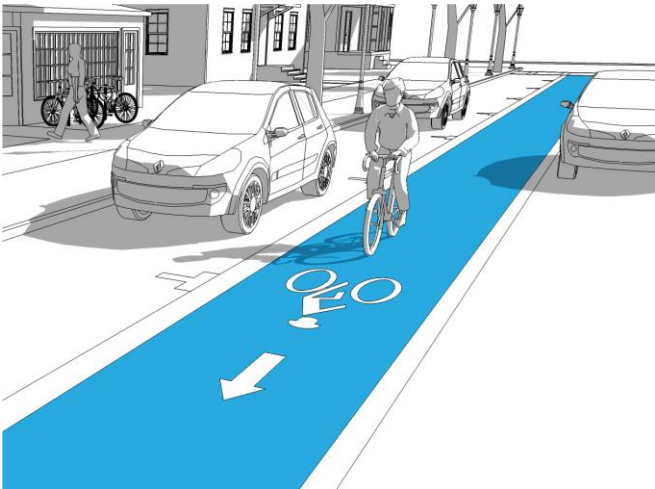
- D.** All Bikeways shall be placed in a public right-of-way or public access easement.

E. BICYCLE ACCOMMODATION STANDARDS – CIVIC DISTRICTS.

Within Civic Districts, any bicycle accommodations shall comply with the standards applicable to any Adjacent Character District.

TABLE 5.2.4.B BIKEWAY TYPES

Bicycle Lane

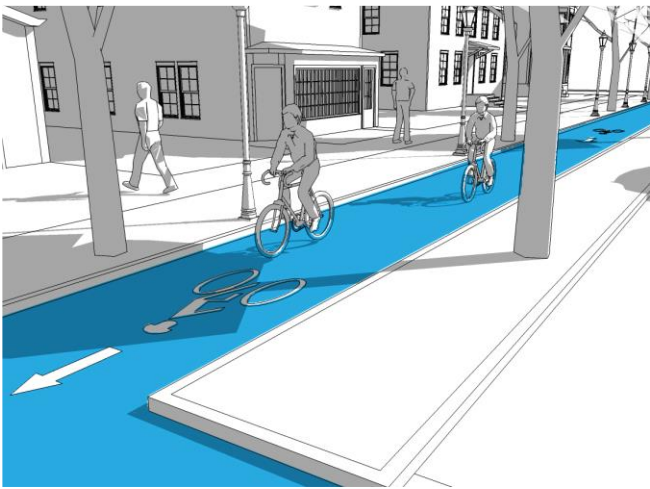


Permitted Districts

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

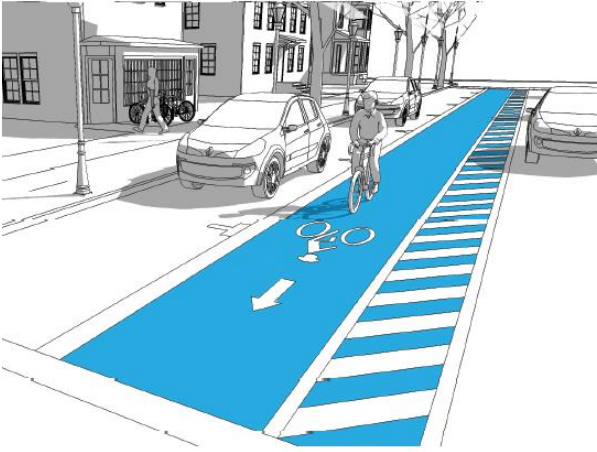


Permitted Districts

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

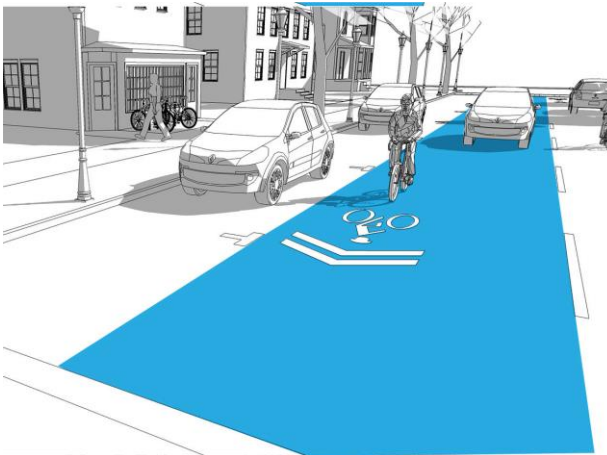


Permitted Districts

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

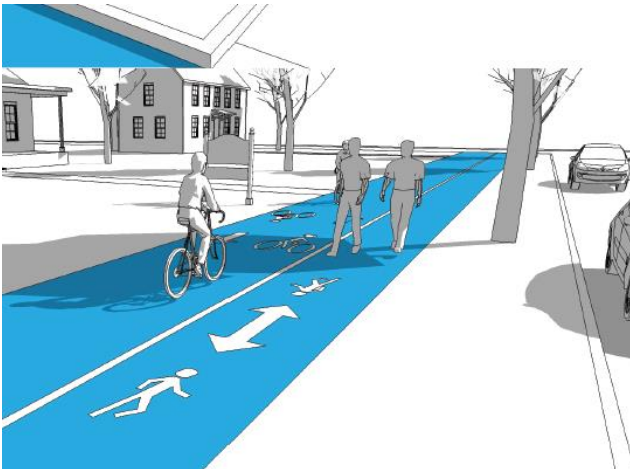


Permitted Districts

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

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)**, and **Table 5.2.5 (Public Planting)** and **Table 4.3.16.D-1 (Native Plants of the Tennessee Valley)**.

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			

CIVIC SPACES**5.3.1 CIVIC SPACE REQUIREMENT.****A. PERCENTAGE OF CIVIC SPACE.**

Any Development Parcel shall include at least 5% 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 under this Ordinance and the Subdivision Regulations.

B. OTHER SPACES PERMITTED.

These provisions do not restrict or prohibit supplemental open space and amenities in addition to the required Civic Space.

C. COMPLIANCE WITH CIVIC DISTRICT STANDARDS.

All Lots, Building Sites, Buildings, Structures and Improvements within Civic Spaces shall comply with the standards applicable to Civic Districts at Table 4.3.1-U (District Standards-Civic).

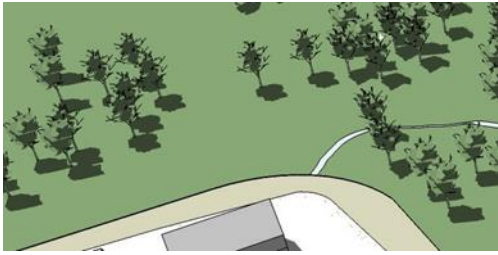
D. CIVIC SPACE LOTS AND BUILDING SITE.

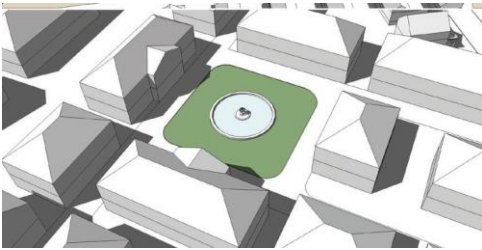
1. Civic Spaces shall be located on Lots or Building Sites identified on a Final Plat, Site Development Plan, or Planned Unit Development Master Plan.
2. Civic Spaces are exempt from the prohibition of through-lots at Section 4.3.3.D.

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)**. The Planning Commission may approve additional specifications for typical facilities within Civic spaces. The selection of Civic Spaces and placement of Civic Spaces within a Development Parcel shall be consistent with the Parks & Greenways element of Connect Columbia.

TABLE 5.3.3-A CIVIC SPACE TYPES - SUMMARY

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-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
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

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
---	--	---

TABLE 5.3.3-B CIVIC SPACE - SPECIFIC STANDARD

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

TABLE 5.3.3-B CIVIC SPACE - SPECIFIC STANDARD

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

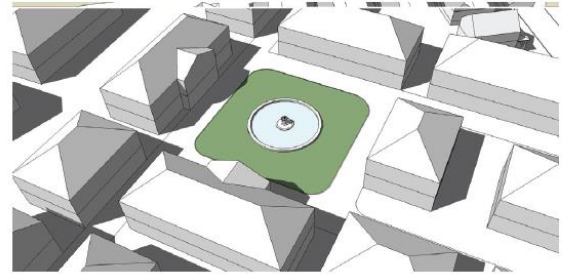
Size	0.5 acres min. 5 acres max
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Frontage	Buildings
----------	-----------

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

TABLE 5.3.3-B CIVIC SPACE - SPECIFIC STANDARD

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.

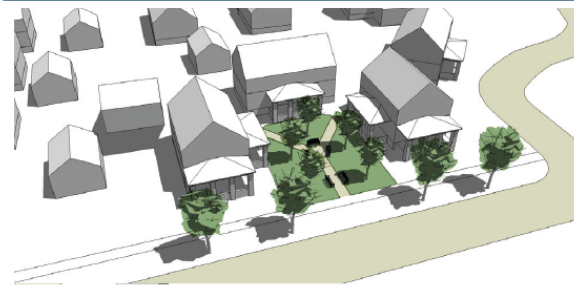
Specifications

Size	No min. No max
Frontage	Buildings
Character	Formal

Typical Facilities

- Active recreation
- Play structures

TABLE 5.3.3-B CIVIC SPACE - SPECIFIC STANDARD

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	

5.3.3 CIVIC SPACES REQUIRED.

Each Development Parcel of 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. 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 1,300 feet of each Lot or Building Site in Residential Use in all Districts CD-3, CD-4, CD-4C, CD-5; and

C. THOROUGHFARE ENFRONTMENT.

Each Civic Space shall have a 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 Sports Fields or Courts.

5.3.4 CIVIC BUILDINGS WITHIN CIVIC SPACES.

Civic Buildings and community amenities, including mail kiosks, pool houses, and community centers may be located in Civic spaces.

5.3.5 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.

SECTION 5.4 DISTRICT DENSITY

A. DENSITY CALCULATIONS.

Any proposed Development Parcel, 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)**.

TABLE 5.4.A-1 DISTRICT DENSITY

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	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

3. For purposes of calculating District Density:
 - a. the area shall include the Thoroughfares, Internal Drives, and Civic Space within the Development Parcel;
 - 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

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	0.5 Density Unit
1500 sf. Civic Use, except Correctional Facilities, Civic Space & Open Spaces	1 Density Unit
3000 sf. Civic Use - Correctional Facility	1 Density Unit
Civic Space & Open Space (any amount)	0 Density Unit
Civic 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	0.5 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 AND ATTICS	

B. MAXIMUM DENSITY.

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 PROJECT BUFFERS

5.5.1 GENERAL.

Project Buffers shall be provided for Development Parcels in accordance with this Section 5.5.

5.5.2 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 5.5, 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.

5.5.3 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.

5.5.4 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.

5.5.5 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 required by this Ordinance.

5.5.6 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.

5.5.7 BUFFER NOT PART OF CIVIC SPACE.

A Buffer area may not be included as part of the calculation of any required Civic Space.

5.5.8 WHEN REQUIRED.

A Project Buffer shall be required for new Development in the Districts indicated in **Table 5.5.8 (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 5.5.8. PROJECT BUFFERS

DISTRICT OF NEW DEVELOPMENT	BUFFER DEPTH	DESIGN PLANTS / 100 LINEAR FEET
SD-MHP (N/A if abutting another SD-MHP District)	75'	15 Canopy Trees $\geq$ 50% Evergreen, 15 Understory Trees $\geq$ 50% Evergreen & 90 Shrubs $\geq$ 75 % Evergreen*
SD-INT	75'	20 Canopy Trees $\geq$ 50% Evergreen, 20 Understory Trees $\geq$ 50% Evergreen & 120 Shrubs $\geq$ 75 % Evergreen
SD-LI	75'	20 Canopy Trees $\geq$ 50% Evergreen, 20 Understory Trees $\geq$ 50% Evergreen & 120 Shrubs $\geq$ 75 % Evergreen
SD-HI	75'	20 Canopy Trees $\geq$ 50% Evergreen, 20 Understory Trees $\geq$ 50% Evergreen & 120 Shrubs $\geq$ 75 % Evergreen
PUD-R	75'	15 Canopy Trees $\geq$ 50% Evergreen, 15 Understory Trees $\geq$ 50% Evergreen & 90 Shrubs $\geq$ 75 % Evergreen
PUD-MU	50'	15 Canopy Trees $\geq$ 50% Evergreen, 15 Understory Trees $\geq$ 50% Evergreen & 90 Shrubs $\geq$ 75 % Evergreen
*SD-MHP Project Buffer shall also include a continuous 100% opaque fence at least 6' feet high		

5.5.9 DESIGN.

A. PLANT MATERIALS.

A Project Buffer shall be designed and comprised of the plant materials indicated in **Table 5.5.8 (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 5.5.8 (Project Buffers)** and Section 5.5.9.G and is not described in Section 5.5.9.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.

5.5.10 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.

5.5.11 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.

5.5.12 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.

5.5.13 MAINTENANCE.**A. RESPONSIBLE PARTIES / RESPONSIBILITIES.**

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 arrival 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 for purposes of enforcement in 5.5.13.G.

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**.

5.5.14 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.

5.5.15 TREE PROTECTION.

The Tree Protection provisions in Section 4.3.16.L are applicable to all Development Parcels.

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, of any Lot, Building Site, or other parcel of land;

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;

D. USE.

Use of any Structure, Lot, Building Site, or other parcel of land;

E. APPLICATIONS AND ACTIONS.

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.

ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

5.1.4 PEDESTRIAN SHEDS.

A. PARCEL TO BE BASED ON PEDESTRIAN SHED.

Each Development Parcel 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 may be smaller or larger than the Pedestrian Shed within which it is situated.

ILLUSTRATION 5.1.4.B-1 STANDARD PEDESTRIAN SHED

ILLUSTRATION 5.1.4.B-2 LINEAR PEDESTRIAN SHED

5.1.5 THOROUGHFARE / INTERNAL DRIVE NETWORK.

The Thoroughfare and Internal Drive network shall be laid out according to Section 5.2.

5.1.6 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)**.

ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

Table 5.1.10 (Building Type Mix).

District	Building Types	Permitted Share of Total Building Frontage Width
<u>CD-4</u>	<u>Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily</u>	<u>85% max, with Large Multifamily < 20% of Total CD-4 Frontage width</u>
	<u>Total of Commercial, Mixed Use & Flex</u>	<u>15% min Frontage width</u>
<u>CD-4C</u>	<u>Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily</u>	<u>85% max, with Large Multifamily < 20% of Total CD-4C Frontage width</u>
	<u>Total of Commercial, Mixed Use & Flex</u>	<u>15% min Frontage width</u>
<u>CD-5</u>	<u>Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily</u>	<u>85% max, with Large Multifamily < 20% of Total CD-5 Frontage width</u>
	<u>Total of Commercial, Mixed Use & Flex</u>	<u>30% min Frontage width</u>
<u>CD-5C</u>	<u>Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily</u>	<u>85% max, with Large Multifamily < 20% of Total CD-5C Frontage width</u>
	<u>Total of Commercial, Mixed Use & Flex</u>	<u>15% min Frontage width</u>
<u>PUD-R</u>	<u>Any single permitted Building Type</u>	<u>Determined by Decision Making Authority</u>
<u>PUD-MU</u>	<u>Total of Commercial, Mixed Use, Flex & Mid-Rise</u>	<u>40% min</u>

5.1.7 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)**.

ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

Table 5.1.110 (PRINCIPAL USE MIXBuilding Type Mix).

Max Residential Use % of Net Site Area	
<u>CD-4</u>	<u>85% max</u>
<u>CD-4C</u>	<u>85% max</u>
<u>CD-5</u>	<u>70% max</u>
<u>CD-5C</u>	<u>70% max</u>
<u>SD-INT</u>	<u>40% max</u>
<u>SD-LI</u>	<u>40% max</u>
<u>SD-HI</u>	<u>None Permitted</u>
<u>PUD-MU</u>	<u>40% max</u>

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.

ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

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.

ILLUSTRATION 5.2.2.B-1 THOROUGHFARE / INTERNAL DRIVE COMPONENTS

2. Each Alley shall consist of the elements shown in the Engineering Standards & Specifications~~Illustration 5.2.2.B-2 (Alley Components).~~

Commented [KM1]: The location of this text is wierd. Should this be located under a new heading "C. Alleys."

ILLUSTRATION 5.2.2.B-2 ALLEY COMPONENTS

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. BLOCKS PERIMETER.

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 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.
2. Blocks shall not exceed the 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.

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TABLE 5.2.2.D BLOCK PERIMETER STANDARDS.

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

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

2. ~~Ceul-de-sacs are prohibited except where 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.~~

TABLE 5.2.2.F THOROUGHFARE / INTERNAL DRIVE TYPES - SUMMARY

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 Planning Commission 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.~~

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.

- b. Boulevards and Avenues shall comprise a portion of the total Thoroughfare length in each Development Parcel with the following districts:

- c. Boulevards and Avenues shall be continuous in nature where possible and generally provide a continuous path from the entrance through the site.

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

2. Where a Traffic Impact Study indicates Average Annual Daily Traffic exceeds 1,200 trips per day, a 4-Lane Avenue shall be provided.

TABLE 5.2.2.G.1

<u>CD-3</u>	<u>10%</u>
<u>CD-4</u>	<u>10%</u>
<u>CD-4C</u>	<u>20%</u>
<u>PUD-R</u>	<u>20%</u>
<u>PUD-MU</u>	<u>20%</u>

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TABLE 5.2.2.G-1 THOROUGHFARE / INTERNAL DRIVE ASSEMBLIES AND STANDARDS

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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 Main Entrance of each principal Building entry to surrounding Thoroughfares, Internal Drives, external sidewalks, and Adjacent 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 all applicable regulations adopted by the City shall connect Buildings, facilities, elements and Parking spaces that are on the same Lot, Building Site, or Development Parcel. ~~State requirements shall connect Buildings, facilities, elements and Parking spaces that are on the same Lot, Building Site, or Development Parcel.~~

2. PEDESTRIAN CROSSWALKS S

ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

Crosswalks shall ~~be designed and provided 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.~~

~~K.J.~~ INTERNAL DRIVES.

Any Internal Drives shall be placed in a public access Easement and recorded as part of a Final Plat.

K. Alleys.

Alleys shall comply with the assembly and standards of ~~Table 5.2.2.L (Alley Assembly & Standards).~~

~~the city of Columbia Engineering Standards & Specifications.~~

~~5.2.3~~ 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 the City of Columbia Engineering Standards & Specifications 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.~~

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

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 the City of Columbia Engineering Standard & Specifications 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.
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.

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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.

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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.

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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.

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G. PLACEMENT OF TREES.

Landscaping within the Public Frontage and landscaping within Civic Spaces shall comply with the following standards:

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1. ~~Trees be same~~ shall be centered horizontally; ~~and and placed minimally;~~

- ~~1.2.~~ Trees shall be placed minimally:

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- 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.

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

~~2-c.~~ At least 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 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

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

(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.

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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.

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5.2.4 BICYCLE ACCOMMODATIONS

A. BICYCLE PARKING.

Bicycle Parking shall be provided in accordance with Section 4.3.13.

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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 throughout each Development Parcel of **180** acres or more.

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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.

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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 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.

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

All Bikeways shall be placed in a public right-of-way or public access easement.

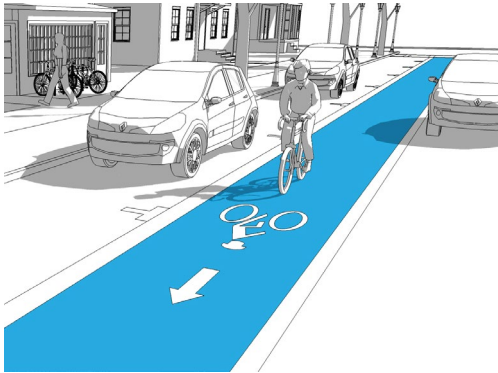
D. TABLE 5.2.4.B BIKEWAY TYPES

G.E. BICYCLE ACCOMMODATION STANDARDS – CIVIC DISTRICTS.

Within Civic Districts, any bicycle accommodations shall comply with the standards applicable to any Adjacent Character District.

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

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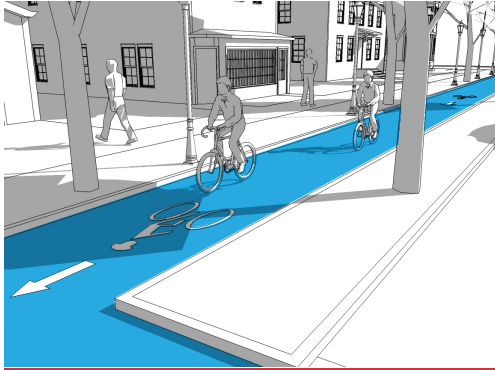
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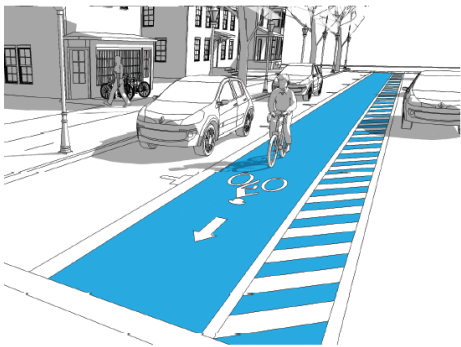
ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS



<u>Bicycle Parking</u>	<u>Rack, bicycle shelter, bicycle station</u>
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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

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<u>Riding Surface Width</u>	<u>5 ft min each way</u>
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<u>Buffer</u>	<u>2 ft min, painted buffer</u>
<u>Movement</u>	<u>With traffic or Contra-flow</u> <u>(2 lanes on the same side</u> <u>of the street or 1 lane on</u> <u>each side)</u>

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<u>Intersection Detailing</u>	<u>Signalized, Peg-a-Track,</u> <u>colored, Bicycle Box</u>
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<u>Bicycle Parking</u>	<u>Rack, bicycle shelter,</u> <u>bicycle station</u>
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Shared Use Lane

Permitted Districts

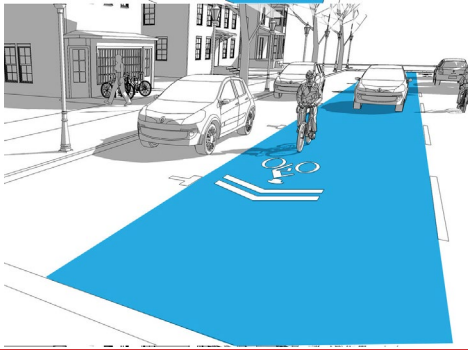
CD-2 CD-3L CD-3 CD-4 CD-4C CD-5 CD-5C
SD-MHP SD-INT SD-LI SD-HI PUD-R PUD-MU

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<u>Riding Surface Width</u>	<u>Same as Vehicular Lane</u> <u>with signs or sharrows at</u>
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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS



	<u>intervals established by the City Engineer</u>
<u>Buffer</u>	<u>None</u>
<u>Movement</u>	<u>With traffic</u>
<u>Intersection Detailing</u>	<u>Signed, Signalized</u>
<u>Bicycle Parking</u>	<u>Opportunistic, rack, Bicycle Shelter</u>

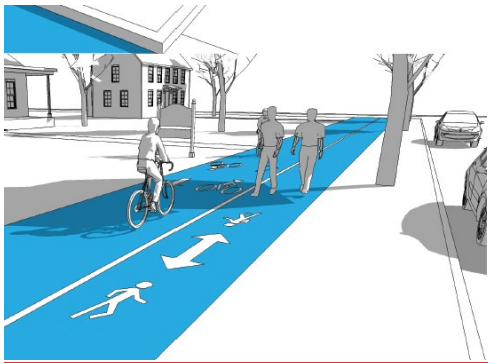
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Shared Use Path



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

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Riding Surface Width 10 ft min

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Movement With traffic or dual direction

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Intersection Detailing Signed, Signalized, Peg-a-Track

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Bicycle Parking Rack, bicycle shelter, bicycle station

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~~D. BICYCLE ACCOMMODATION STANDARDS—SPECIAL DISTRICTS.~~

~~Within Special Districts, any bicycle accommodations shall comply with any applicable standards for the Special District.~~

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

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).

TABLE 5.2.5 PUBLIC PLANTING

SECTION 5.3 CIVIC DISTRICT SPACES

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. OTHER SPACES PERMITTED 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. These provisions do not restrict or prohibit supplemental open space and amenities in addition to the required Civic Space.~~

C. COMPLIANCE WITH CIVIC DISTRICT STANDARDS.

All Lots, ~~Building Sites~~Development, Buildings, Structures and Improvements within Civic ~~Spaces~~Districts shall comply with ~~the standards applicable to Civic Districts at~~ Table 4.3.1-U (District Standards-Civic).

D. CIVIC SPACE LOTS AND BUILDING SITE.

- ~~1. Civic Spaces shall be located on Lots or Building 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)**. ~~The Planning Commission may approve additional specifications for typical facilities within Civic spaces. The selection of Civic Spaces and placement of Civic Spaces within a Development Parcel shall be consistent with the Parks & Greenways element of Connect Columbia. as indicated~~

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

~~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.~~

TABLE 5.3.3-A CIVIC SPACE TYPES - SUMMARY

TABLE 5.3.3-B CIVIC SPACE - SPECIFIC STANDARDS

5.3.3 CIVIC SPACES REQUIRED.

Each Development Parcel of 1.20 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. Where, —unless— 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 1,3800 feet of ~~each~~ every Lot or Building Site in Residential Use in all Districts CD-3, CD-4, CD-4C, CD-5 ~~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 ~~portion minimum of 50%~~ 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 Sports Fields or Courts 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~~ **5.3.4 CIVIC BUILDINGS WITHIN CIVIC SPACES 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. Civic Buildings and community amenities, including mail kiosks, pool houses, and community centers may be located in Civic spaces.~~

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

~~5.3.6~~ 5.3.5 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.

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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

Commented [KM2]: Correct CD-3 density.

TABLE 5.4.A-1 DISTRICT DENSITY	
Density Units	
<u>CD-2</u>	<u>1 Density Units per acre, gross, max</u>
<u>CD-3L</u>	<u>2 Density Units per acre, gross, max</u>
<u>CD-3</u>	<u>4 Density Units per acre, gross, max</u>
<u>CD-4</u>	<u>12 Density Units per acre, gross, max</u>
<u>CD-4C</u>	<u>24 Density Units per acre, gross, max</u>
<u>CD-5</u>	<u>Not Regulated</u>

ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

TABLE 5.4.A-1 DISTRICT DENSITY	
Density Units	
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:

- the area shall include the Thoroughfares, Internal Drives, and Civic Space within the Development Parcel ~~the District, but not land assigned to Civic Zones;~~
- 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

B. MAXIMUM ~~DISTRICT~~ DENSITY.

The Maximum Density per Character District of a Development Parcel, shall not exceed that set forth in **Table 5.4.A-1 (District Density)**.

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

~~SECTION 5.5~~ DISTRICT DESIGNATION

~~All Districts within a Development Parcel shall be designated on the applicable Development Plan or Master PUD Development Plan.~~

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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).~~

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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.~~

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5.6.3 ASSIGNMENT OF SPECIAL DISTRICTS.

~~Special Districts shall be assigned in accordance with Sections 2.4.3 and 3.3.~~

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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.~~

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~~SECTION 5.8~~ SECTION 5.5 PROJECT BUFFERS

~~5.8.15.5.1~~ GENERAL.

Project Buffers shall be provided for Development Parcels in accordance with this Section 5.8.

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5.8.25.5.2 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.

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5.8.35.5.3 NOT APPLICABLE FOR CERTAIN USES / SITE WORK

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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.

5.8.45.5.4 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.

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5.8.55.5.5 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 required by this Ordinance.

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5.8.65.5.6 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.

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5.8.75.5.7 BUFFER NOT PART OF CIVIC SPACE.

A Buffer area may not be included as part of the calculation of any required Civic Space.

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5.8.85.5.8 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.

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5.8.95.5.9 DESIGN.

A. PLANT MATERIALS.

A Project Buffer shall be designed and comprised of the plant materials indicated in **Table 5.7.8 (Project Buffers)**.

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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:

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1. Minimum 100% opacity;

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

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.

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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.

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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.

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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.

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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.

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H. SIGN VISIBILITY.

Project Buffers shall be designed to address visibility of any permitted ground Signs.

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~~5.8.105.5.10~~ LOCATION.

A. COMMON BOUNDARY

Any required Project Buffer shall be located along the common boundary of the abutting District.

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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.

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C. LOCATION IN YARD / SETBACK.

Project Buffers may be constructed in any required Yard or Setback.

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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~~ 5.11 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.

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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;

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

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.

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~~5.8.12~~ 5.12 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.

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~~5.8.13~~ 5.13 MAINTENANCE.

A. RESPONSIBLE PARTIES / RESPONSIBILITIES.

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 arrival 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 for purposes of enforcement in 5.6.13.G.

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B. PLANTINGS.

Dead or diseased plantings shall be removed and replaced with plants meeting all requirements of this Ordinance.

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C. WATER COURSES.

Natural water courses within a Project Buffer shall be maintained in a natural condition consistent with any applicable regulations.

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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.

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E. STRUCTURAL FEATURES.

Landscape structural features such as walls, fences, or water features shall be maintained in a structurally safe and attractive condition.

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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.

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

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.

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~~5.8.14~~ 5.14 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.

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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.

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~~5.8.15~~ 5.15 TREE PROTECTION.

The Tree Protection provisions in Section 4.3.16.L are applicable to all Development Parcels.

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

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 ~~striketrough~~ 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.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: PUBLIC HEARING ON ORDINANCE NO. 4518 - AN ORDINANCE AMENDING DEVELOPMENT SERVICES PLANNING FEE SCHEDULE FOR THE CITY OF COLUMBIA, TENNESSEE - CITYWIDE

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend the Planning Fee schedule as attached. Approval was recommended by the Planning Commission at the June 5, 2024 meeting by a vote of five to zero. The required notice of Public Hearing was advertised July 24, 2024 in The Daily Herald.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance 4518, Exhibit A, Current Fee Schedule (adopted April 2023).

**AN ORDINANCE AMENDING DEVELOPMENT SERVICES PLANNING FEE
SCHEDULE FOR THE CITY OF COLUMBIA, TENNESSEE**

WHEREAS, Section §13-7-201 of the Tennessee Code Annotated empowers the city to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals and general welfare of the city to enact such an ordinance; and

WHEREAS, the City Council, pursuant to the provisions of Section §13-4-101 of the Tennessee Code Annotated has appointed a Planning Commission to recommend the appropriate regulations to be enforced therein; and

WHEREAS, on the 5th day of June, 2024, the Planning Commission reviewed and recommended specific changes, in accordance to Section 8.5.4.C.3 of the Zoning Ordinance regarding development fees. The new proposed fee schedule is attached hereto as Exhibit "A" and incorporated herein by reference. Said recommendation is being considered after a public hearing held on the 8th day of August, 2024, notice of which was published in the Daily Herald of Columbia fifteen (15) days or more prior to said meeting.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That the old Development Services planning fee schedule is hereby repealed and deleted and the new Development Services planning fee schedule, which is attached hereto as Exhibit "A" and incorporated herein by reference is hereby approved.

Section 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
COLUMBIA, TENNESSEE, this the 12th day of September, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY – CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration: _____



PLANNING FEE SCHEDULE

Payable upon Submission of Application

Non-refundable Except as Provided in Refund Policy

Comprehensive Plan Amendment¹

Submittal Fee	\$ 300
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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
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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
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Revision of Plan Requiring Planning Commission Approval (§8.5.6.D.3); plus	50% of original fee
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Renewal of Expiring Site Plan without Changes (§8.5.6.D.1-2) ²	100% of original fee
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Alternative Compliance	\$500
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¹ Must be accompanied by a request for rezoning.

² Paid with building permit or site construction plan review, as applicable.



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
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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
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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.



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 Notice¹⁰

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.

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 its 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 referred back to the DRC due to technical deficiencies. May be waived at discretion of the Director of Development Services and/or the Planning Commission.



PLANNING FEE SCHEDULE

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
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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



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.

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.



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 its 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 referred back to the DRC due to technical deficiencies. May be waived at discretion of the Director of Development Services and/or the Planning Commission.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: PUBLIC HEARING ON ORDINANCE NO. 4519 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING SUPPLEMENTAL STANDARDS IN ARTICLE 6 BY REPEALING SUCH ARTICLE AND REPLACING SUCH ARTICLE 6 WITH A NEW ARTICLE 6, SUPPLEMENTAL STANDARDS

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 6: Supplemental Standards, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero. The required notice of Public Hearing was advertised on July 24, 2024 in The Daily Herald.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance 4519; Exhibit A; Marked Changes "A", DS Staff Report.

**AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING
THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE
REGARDING SUPPLEMENTAL STANDARDS IN ARTICLE 6 BY REPEALING
SUCH ARTICLE AND REPLACING SUCH ARTICLE 6 WITH A NEW
ARTICLE 6, SUPPLEMENTAL STANDARDS**

WHEREAS, Section §13-7-201 of the Tennessee Code Annotated empowers the city to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals and general welfare of the city to enact such an ordinance; and

WHEREAS, the City Council, pursuant to the provisions of Section §13-4-101 of the Tennessee Code Annotated has appointed a Planning Commission to recommend the appropriate regulations to be enforced therein; and

WHEREAS, on the 5th day of June 2024, the Planning Commission reviewed and recommended specific changes in accordance to Section 8.5.18, to the Zoning Ordinance regarding Supplemental Standards in Article 6. As a result, Article 6 is being repealed in its entirety and replaced with a new Article 6 which is attached hereto as Exhibit "A" and incorporated herein. Said recommendations are being considered after a public hearing held on the 8th day of August, 2024, notice of which was published in the Daily Herald of Columbia fifteen (15) days or more prior to said meeting; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That Ordinance Number 4400, the same being the Zoning Ordinance of the City of Columbia, Tennessee is hereby amended by repealing and deleting Article 6 in its entirety and replacing such Article with a new Article 6, Supplemental Standards, which is attached hereto as Exhibit "A" and incorporated herein by reference;

Section 2: That the City Council satisfies the requirements of Section 8.5.18.J.4, by making specific findings as to the following:

- 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.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
COLUMBIA, TENNESSEE, this the 12th day of September, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY – CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration: _____

ARTICLE 6: SUPPLEMENTAL STANDARDS

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, 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 of Lots or Building Sites enfronting existing Thoroughfares and Internal Drives are to be provided, or modified, in accordance with Article 5 (Development Parcel Stan.

6.3.2 Streetscape Repairs, Replacements & Improvements.

Prior to the issuances 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 at least good, or better condition as it was prior such damage, or shall be replaced.

B. Absent Elements.

If the Public Frontage Adjacent to the applicable Lot, or Building Site, does not include a Sidewalk, Planter, Trees, or street lights, or any such absent element shall be provided by the applicable Lot or Building Site owner in accordance with 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; and
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 exiting planter strip or plant well Enfronting an Adjacent Lot.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.3 STREETScape REPAIRS, REPLACEMENTS & IMPROVEMENTS CONTINUED.

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, s if such standards were applicable.

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 set-backs will recognize as planned future property lines for such Lot or Building Sites.

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 each element, so that it qualifies, or would qualify if within the public right-of-way, for dedication to the City.

E. 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 side walk may only occur 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 determine 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 of the final plat, issuance of a building permit, or issuance of a grading permit.
5. Fees received pursuant to this Subsection shall be used in accordance with the City Sidewalk Fund as direct by the City Council.

SECTION 6.4 FIRE SAFETY

Any Multifamily, Mixed-Use, 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.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

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, vehicular and pedestrian ingress/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/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 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 to protect 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 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, as well as impairment of the tax base; all of which 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.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

B. Findings of Fact.

It is the purpose of this Ordinance to promote public health, safety and general welfare; and to minimize public and private loss 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 of 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 the lands.

C. Findings of Fact.

4. The Columbia Mayor and its Legislative Body wish to maintain eligibility in the National Flood Insurance Program 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).
5. 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, as well as impairment of the tax base; all of which affect the public health, safety and general welfare.
6. 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.

D. Findings of Fact.

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

6. Restrict or prohibit uses which are vulnerable to water or erosion hazards; or which result in damaging increases in erosion, flood heights, or velocities;
7. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
8. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

9. Control filling, grading, dredging, and other development which may increase flood damage or erosion, and;
10. Prevent, or regulate, the construction of flood barriers which will unnaturally divert flood waters, or which may increase flood hazards to o the lands.
11. 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;
12. To ensure that potential homebuyers are notified that property is in a floodplain area; and
13. 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 flood-proofed.

“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 fire wall. Any walled and roofed addition, which is connected by a firewall, or 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 (1) to three (3) feet where a clearly defined channel does not exist; where the path of flooding is unpredictable and intermediate, and where velocity flow may be evident. (Such flooding is characterized by ponding or sheet flow).

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

“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 of the FRIM, 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 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 equaled, or exceeded, in a given year.

“Basement:” that portion of a building having its 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, piling, 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 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 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 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 in which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, final grading site, 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 the basis for that community’s participation in the National Flood Insurance Program (NFIP).

“Existing Structures” see **“Existing Construction”**.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

“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 determined of flood hazards and, if appropriate, corresponding water surface evaluations, 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 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 evaluation of the base flood.

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

“Flood Protection Systems:” those physical structural works for which funds have been authorized, appropriated, 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 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 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.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

“Flood-related Erosion Area” or **“Flood-related Erosion Prone Area:”** a land 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 the water surface elevation more than a designated height.

“Floor:” the top surface of an enclosed 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 purpose 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, 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 preliminary, determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district, or a district preliminary, 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 in a local inventory of historic places and determined as eligible by communities 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.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

“Levee:” a man-made structure, usually 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 buildings lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable 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 one hundred and eighty (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 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 such 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 subsequent improvements to such structures.

“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, Local Governments and agencies.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED

“Recreational Vehicle:” a vehicle which is:

1. Built on a single chassis;
2. 400 square feet, or less, when measured at the largest horizontal projection;
3. Designed to be self-propelled, or permanently towable by a light duty truck; 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 the flood-related erosion hazards are shown on an FHBM, FIRM as in 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 one hundred and eighty (180) days of the permit date. The actual start means either the first placement of the permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footing, 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 filing; nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footing, piers, 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 part of the main structure. For 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 the purpose 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, fifty (50) percent of the market value of the structure before the damage occurred.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

“Substantial Improvement:” any repairs, reconstructions, rehabilitations, additions, alterations, or other improvements to a structure, taking place during a five (5) year period, in which the cumulative cost equals, or exceeds, fifty (50) 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 damage occurring. This term includes structures which have incurred “substantial damage”, regardless of the actual repair worked performed.

For the purpose of this definition, “substantial Improvement” is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences; whether or not that alteration affects the external dimensions of the 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; 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 Park or Subdivision:” where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty (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 all subsequent amendments and revisions, 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.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

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 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 or 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 purpose and is based on scientific and engineering considerations. Larger floods can, and will happen 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

Violations 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 shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Each day such violation continues shall be considered a separate offence. 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.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

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, locations, 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 main 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.

D. Construction Stage.

Within unnumbered A zones, where flood elevation data are not available, the Administrator shall record 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 work taken 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 limited to:

Review of all development permits to assure 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 permits are known, require that copies of such permits are 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.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

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 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 the 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.

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 a 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 source, including data developed as a result of these regulations as criteria for requiring that new construction, substantial improvement, 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 flood-proofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Section 9.15 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 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 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 new buildings shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements to new buildings shall be constructed by methods and practices to 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 accumulating within the components during conditions of flooding;

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICT

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

6. New and replaced water supply systems shall be designed to minimize, or eliminate, infiltration of flood waters into the system;
7. New and replaced sanitary sewage systems shall be designed to minimize, or eliminate, infiltration of flood waters into the systems, and discharges from the system into flood waters;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction, or improvements to a building that is in compliance with the provisions of this Ordinance, shall meet the requirements of “new construction” as contained in this Ordinance; and,
10. Any alteration, repair, reconstruction, or improvements to a building that is not in compliance with the provisions 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 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 flood-proofed, 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 flood-proofed, 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 flood-proofed, 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 and 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 elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components have 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 the accepted standards of practice for meeting the provisions above; and shall provide such certification to the Administrator as set forth by this Section 6.6.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

Buildings located in all A zones may be flood-proofed in lieu of being elevated, provided that all areas of the building below the elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components have 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 the accepted standards of practice for meeting the provisions above; and shall provide such certification to the Administrator as set forth by 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 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 engineer or architect, or meet the following minimum criteria:
 - (1) Provide a minimum of two (2) openings having a total net area of no less than one (1) square inch for every square foot of enclosed area subject to flooding:
 - (2) The bottom of all openings shall be no higher than one foot above the finish grade, and
 - (3) Openings must be equipped with screens, louvers, valves, other coverings, or devices provided they limit 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 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 provisions 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) new or substantially improved manufactured home parks or subdivisions must meet all the requirements of new construction, including elevations and anchoring.
- b. All Manufactured Home 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 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.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED

- e. All recreational vehicles placed on identified flood hazard sites must either:
 - (1) Be on the site for fewer than one hundred eighty (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 of the requirements for new construction, including anchoring, and elevation requirements of this section above if on the site for longer than one hundred eighty (180) consecutive days.

5. Standards for Subdivisions:

Subdivisions and other proposed new 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 proposal shall be reviewed to ensure that:

- a. All subdivisions 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 Standard for Areas of Special Flood Hazard with Established Base Flood 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 floodwaters, debris, or erosion potentials. 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 shall apply:

A. Encroachments.

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

B. New Construction or Substantial Improvement.

New construction or substantial improvements of buildings shall comply with all applicable flood hazard reduction provisions of this Section 6.6.5.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

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.

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, 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.

B. New Construction or Substantial Improvements.

New construction or substantial improvement 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, the Administrator shall obtain, review, and reasonably utilize any specific 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 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 (20) 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 more than one (1) foot at any point in the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principals. 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 structures 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 the standards of Section 6.6.5.B, and "Elevated Buildings".

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

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 the 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 unimpeded movements of floodwaters shall be provided in accordance with standards of Section 6.6.5.B, and "Elevated Buildings".

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 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 capacity of resisting hydrostatic and hydrodynamic loads, and the effect 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 required on 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 highest 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.

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:

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 by a Tennessee registered professional engineer provides certification demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality. The administrator or assignee shall establish minimum standards for the format and content of such certification.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

2. When new elevation data are available, new construction or substantial improvements of buildings shall be elevated, or flood-proofed to elevations established in accordance with Sections 6.6.4 through 6.6.10.

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 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 to the community;
 - d. The importance of the service 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 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, 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 necessary so as to not destroy the historic character and design of the building.
2. Variances shall only be issued upon: 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 a 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 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 risk to life and property.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

4. The Administrator shall maintain the records if 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 other part thereof, and the whole or part of any existing, or future ordinance of the City, the most restrictive shall prevail.

B. Validity³

If any section, clause, provisions 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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Article 6 Supplemental Standards
Proposed Zoning Text Amendment

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Proposed Changes

§ 6.3 Streetscape Repairs, Replacements & Improvements (p. 343) 2

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Additions are Underlined
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§ 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~~ fronting 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.

If the Public Frontage Adjacent to the applicable Lot or Building Site does not include a Sidewalk, Planter, ~~Thoroughfare or~~

Corrects formatting

Article 6 Supplemental Standards Proposed Zoning Text Amendment

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~~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~~;~~;

4C. 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.

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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.

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D. Fees received pursuant to this Subsection shall be used in accordance with the City Sidewalk Fund as directed 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 Flood

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Elevations and with Floodways Designated (P. 357)

99 **6.6.6 Standards for Areas of Special Flood Hazard with**
100 **Established Base Flood Elevations and with Floodways**
101 **Designated.**

102 Located within the Areas of Special Flood Hazard
103 established in Section 6.12.3.B, are areas designated as
104 floodways. A floodway may be an extremely hazardous
105 area due to the velocity of floodwaters, debris or erosion
106 potential. In addition, the area must remain free of
107 encroachment in order to allow for the discharge of the
108 base flood without increased flood heights and
109 velocities. Therefore, the following provisions shall
110 apply:

111
112 **A. Encroachments.**

113 Encroachments are prohibited, including earthen fill
114 material, new construction, substantial improvements or
115 other developments within the regulatory floodway.
116 Development may be permitted however, provided it is
117 demonstrated through hydrologic and hydraulic analyses
118 performed in accordance with standard engineering
119 practices that the cumulative effect of the proposed
120 encroachments or new development, when combined
121 with all other existing and anticipated development, shall
122 not result in ANY increase the water surface elevation of
123 the base flood level, velocities or floodway widths during

Corrects typo in adopted ordinance

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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:

Article 6 Supplemental Standards Proposed Zoning Text Amendment

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144 **A. Encroachments.** No encroachments, including fill
145 material, new structures or substantial improvements
146 shall be located within areas of special flood hazard,
147 unless ~~certification by a~~ Tennessee registered
148 professional engineer ~~provides certification is provided~~
149 demonstrating that the cumulative effect of the
150 proposed development, when combined with all other
151 existing and anticipated development, will not increase
152 the water surface elevation of the base flood more than
153 ~~two one (12) foot~~ (12) foot at any point within the community.
154 The engineering certification should be supported by
155 technical data that conforms to standard hydraulic
156 engineering principles. The administrator or assignee
157 shall establish minimum standards for the format and
158 content of such certification.
159
160 **B. New Construction or Substantial Improvements.** New
161 construction or substantial improvements of buildings
162 shall be elevated or flood-proofed to elevations
163 established in accordance with Section 6.6.5.B.

*Corrects an error in the
adopted Ordinance and
authorizes staff to
establish minimum
standards (plan to use
[TEMA No-Rise Guidance](#))*

Article 6 Supplemental Standards Proposed Zoning Text Amendment

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§ 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](#))*

Article 6 Supplemental Standards Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

188 proposed development, when combined with all
189 other existing and anticipated development, will
190 not increase the water surface elevation of the
191 base flood more than ~~two-one~~ (21) ~~feet-foot~~ at
192 any point within the community. The
193 engineering certification should be supported by
194 technical data that conforms to standard
195 hydraulic engineering principles. The
196 administrator or assignee shall establish
197 minimum standards for the format and content
198 of such certification.

199
200 2. In special flood hazard areas without Base
201 Flood Elevation data, new construction or
202 substantial improvements of existing shall have
203 the lowest floor of the lowest enclosed area
204 (including basement) elevated no less than three
205 (3) feet above the highest adjacent grade at the
206 building site. Openings sufficient to facilitate the
207 unimpeded movements of floodwaters shall be
208 provided in accordance with the standards of
209 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:

~~21.~~ 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 (12)~~ feet-foot at any point within the locality. The administrator or assignee shall establish minimum standards for the format and content of such certification.

~~32.~~ 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~~ Section ~~6.6.4~~ through 6.6.10.

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.



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 ~~striketrough~~ 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.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: PUBLIC HEARING ON ORDINANCE NO. 4520 - AN ORDINANCE TO AMEND THE COLUMBIA MUNICIPAL CODE BY REPEALING AND REPLACING TITLE 14, CHAPTER 5 PERTAINING TO ENGINEERING STANDARDS AND SPECIFICATIONS

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Engineering Standards and Specifications is requested to be updated by Development Services Department to coordinate with the changes of the Zoning Ordinance. Planning Commission recommended approval of the proposal at the June 5, 2024 meeting by a vote of five to zero. The required notice of Public Hearing was advertised July 24, 2024 in The Daily Herald.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance 4520, Exhibit A, Thoroughfare Illustrations, Staff Markup.

**AN ORDINANCE TO AMEND THE COLUMBIA MUNICIPAL CODE
BY REPEALING AND REPLACING TITLE 14, CHAPTER 5
PERTAINING TO ENGINEERING STANDARDS AND
SPECIFICATIONS**

WHEREAS, the City of Columbia desires to protect and maintain the health, safety, and general welfare of the public and the citizens of the City of Columbia; and

WHEREAS, in order to meet such objectives, it is necessary to enact engineering standards and specifications and procedures governing construction plans, streets, stormwater and drainage systems, and grading and site development standards and adopt a set of standard engineering details and drawings; and

WHEREAS, the Columbia Municipal Planning Commission reviewed the Engineering Standards and Specifications; and

WHEREAS, the Columbia Municipal Planning Commission did conduct a public hearing on the 5th day of June, 2024 following a public notice in the local newspaper and did take action to recommend approval.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That Title 14, Chapter 5 of the City of Columbia Municipal Code be repealed and deleted in its entirety and replaced with the following new Title 14, Chapter 5 Engineering Standards and Specifications, as described in Exhibit "A", which is attached hereto and incorporated herein by reference.

Section 2: This Ordinance is passed after review by the Columbia City Council, following a public hearing, on the 8th day of August, 2024, with a notice of said hearing

being given in The Daily Herald of Columbia, Tennessee, fifteen (15) days or more before said hearing.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

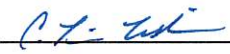
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, This the 12th day of September, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY, CITY MANAGER

Passed on 1st consideration: _____

Passed on 2nd consideration: _____



City of Columbia

Engineering Standards and Specifications

Adopted June XX, 20XX

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Amendments

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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.

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 compliant 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. Cul-de-sacs 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 twenty-five (25) feet minimum.
- C. The minimum curb radius for minor and major local streets intersecting collector and arterial roads shall be twenty-five (25) feet minimum. 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, busses, or other non-passenger type vehicles 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, health, 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 been 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.

3.24 Street Trees

Street trees shall be provided in accordance with the Zoning Ordinance. Street trees shall be located within planting strips, or when planting strips are not provided, tree wells or planters. Tree wells or planters shall be four (4) feet in width and thirty (30) square feet in area, minimum.

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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. Deviations from this standard may only be considered on a case-by-case basis, where adherence to this standard is not practicable and not feasible.
- 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. Extents beyond the subject property may utilize LIDAR or other remote methods of survey. Topographical base map shall include:
 - 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.

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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 aggregate 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 aggregates 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

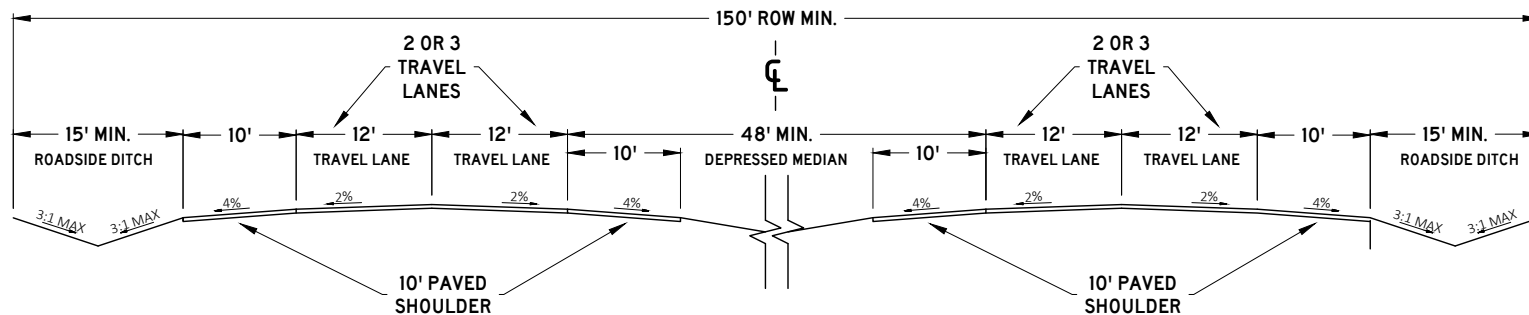
ROADWAY CLASSIFICATION STREET SECTIONS	
RD-01	MAJOR ARTERIAL ROADWAY
RD-02	MINOR ARTERIAL ROADWAY
RD-03	COLLECTOR ROADWAY
RD-04	MAJOR LOCAL / INDUSTRIAL ROADWAY
RD-05	MINOR LOCAL ROADWAY
RD-06	ALLEY
RD-07	RURAL ROADWAY (AADT < 1500)

CHARACTER DISTRICT STREET SECTIONS	
DS01	RURAL NEIGHBORHOOD ROADSIDE DITCH
DS02	BLANK
DS03	BLANK
DS04	BLANK
DS05	BLANK
DS06	LARGE LOT NEIGHBORHOOD
DS07	BLANK
DS08	BLANK
DS09	BLANK
DS10	SUBURBAN NEIGHBORHOOD PARALLEL PARKING BOTH SIDES
DS11	SUBURBAN NEIGHBORHOOD PARALLEL PARKING ONE SIDE
DS12	SUBURBAN NEIGHBORHOOD NO PARALLEL PARKING
DS13	SUBURBAN BOULEVARD PARALLEL PARKING BOTH SIDES
DS14	SUBURBAN BOULEVARD NO PARALLEL PARKING
DS15	BLANK
DS16	BLANK
DS17	BLANK
DS18	URBAN NEIGHBORHOOD PARALLEL PARKING BOTH SIDES
DS19	URBAN NEIGHBORHOOD NO PARALLEL PARKING
DS20	URBAN CENTER PARALLEL PARKING BOTH SIDES
DS21	URBAN CENTER NO PARALLEL PARKING
DS22	URBAN BOULEVARD PARALLEL PARKING BOTH SIDES
DS23	URBAN BOULEVARD NO PARALLEL PARKING
DS24	URBAN BOULEVARD 4 LANE
DS25	URBAN AVENUE PARALLEL PARKING BOTH SIDES
DS26	URBAN AVENUE NO PARALLEL PARKING
DS27	URBAN AVENUE 4 LANE
DS28	BLANK
DS29	BLANK
DS30	BLANK
DS31	BLANK
DS32	BLANK
DS33	BLANK
DS34	INDUSTRIAL TWO LANE
DS35	INDUSTRIAL THREE LANE
DS36	BLANK
DS37	BLANK
DS38	BLANK
DS39	INTERNAL DRIVE COMMERCIAL AND MIXED-USE
DS40	INTERNAL DRIVE INDUSTRIAL

STANDARD DETAILS	
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

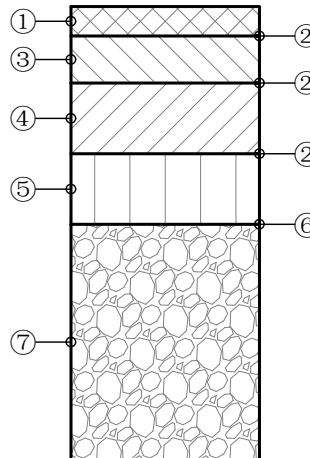
STANDARD DRAINAGE DETAILS	
DD-01	INLETS, CASTINGS, STRUCTURES, AND PIPES
DD-02	OUTLET CONTROL STRUCTURE
DD-03	TRAPEZOIDAL DITCH
DD-04	RESIDENTIAL LOT GRADING AND DRAINAGE

MISCELLANEOUS DETAILS	
MD-01	DUMPSTER PAD & ENCLOSURE
MD-02	PARKING LOT PAVEMENT SECTION
MD-03	CLUSTER BOX UNITS
MD-04	PROPERTY ADDRESSES



PAVEMENT SCHEDULE

①	BIT. SURFACE @ 1.25" THICK 411-02.10 ASPHALT CONCRETE MIX (PG70-22) (ACS) GRADING D (SURFACE)
②	TACK COAT (GENERAL USE) 403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY)
③	BIT. BINDER @ 2" THICK 307-03.08 ASPHALT CONCRETE MIX (PG76-22) (BPMB-HM) GRADING B-M2
④	BIT. BASE @ 3" THICK 307-03.01 ASPHALT CONCRETE MIX (PG76-22) (BPMB-HM) GRADING A
⑤	BIT. BASE @ 3" THICK 307-01.22 ASPHALT CONCRETE MIX (PG76-22) (BPMB-HM) GRADING A-S
⑥	PRIME COAT 402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY) 402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY)
⑦	MINERAL AGGREGATE BASE @ 10" THICK 303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D



NOTES:

1. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
2. DIMENSIONS REFLECT A MINIMUM STANDARD
3. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

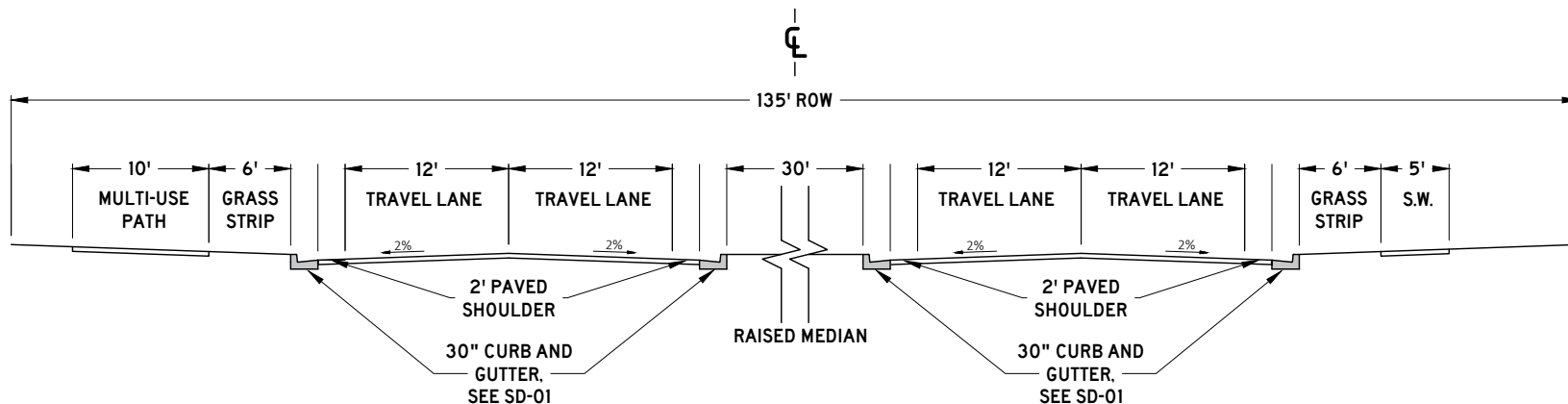
STANDARD DETAILS

MAJOR ARTERIAL ROADWAY

(NTS)

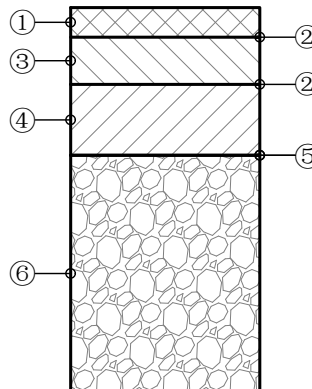
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RD-01



PAVEMENT SCHEDULE

①	BIT. SURFACE @ 1.25" THICK 411-02.10 ASPHALT CONCRETE MIX (PG70-22) (ACS) GRADING D (SURFACE)
②	TACK COAT (GENERAL USE) 403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY)
③	BIT. BINDER @ 2" THICK 307-03.08 ASPHALT CONCRETE MIX (PG76-22) (BPMB-HM) GRADING B-M2
④	BIT. BASE @ 3" THICK 307-03.01 ASPHALT CONCRETE MIX (PG76-22) (BPMB-HM) GRADING A
⑤	PRIME COAT 402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY) 402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY)
⑥	MINERAL AGGREGATE BASE @ 10" THICK 303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D



NOTES:

1. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
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DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

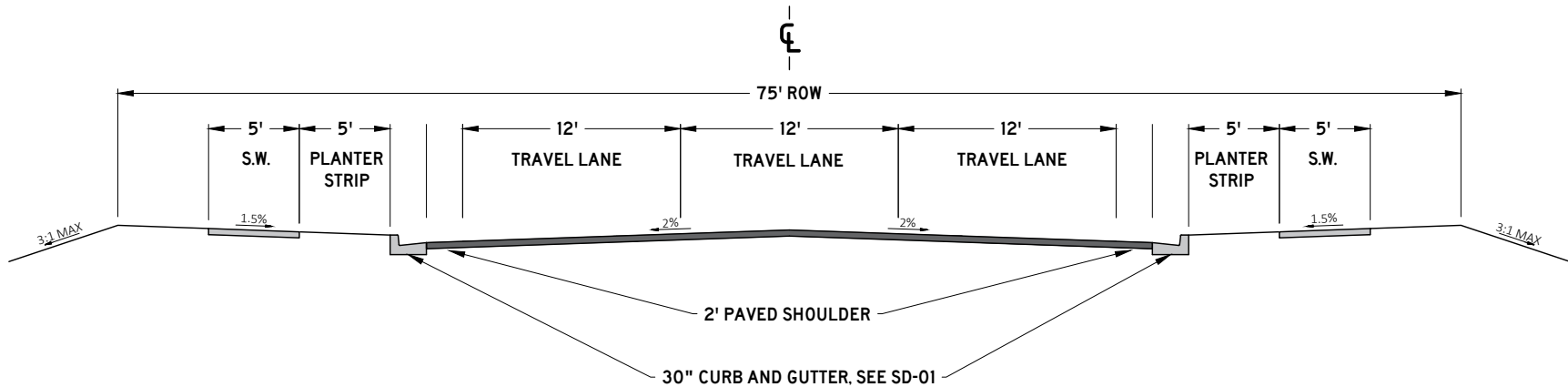
STANDARD DETAILS

MINOR ARTERIAL ROADWAY

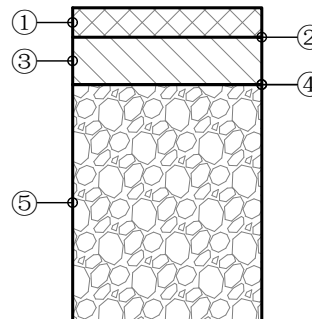
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6/9/2022

RD-02



PAVEMENT SCHEDULE	
①	SURFACE @ 1.5" THICK 411-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING D (SURFACE)
②	TACK COAT (GENERAL USE) 403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY)
③	BIT. BINDER @ 3" THICK 307-01.08 ASPHALT CONCRETE MIX (PG64-22) (BPMB-HM) GRADING B-M2
④	PRIME COAT 402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY) 402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY)
⑤	MINERAL AGGREGATE BASE @ 10" THICK 303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D



NOTES:

1. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
2. DIMENSIONS REFLECT A MINIMUM STANDARD
3. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

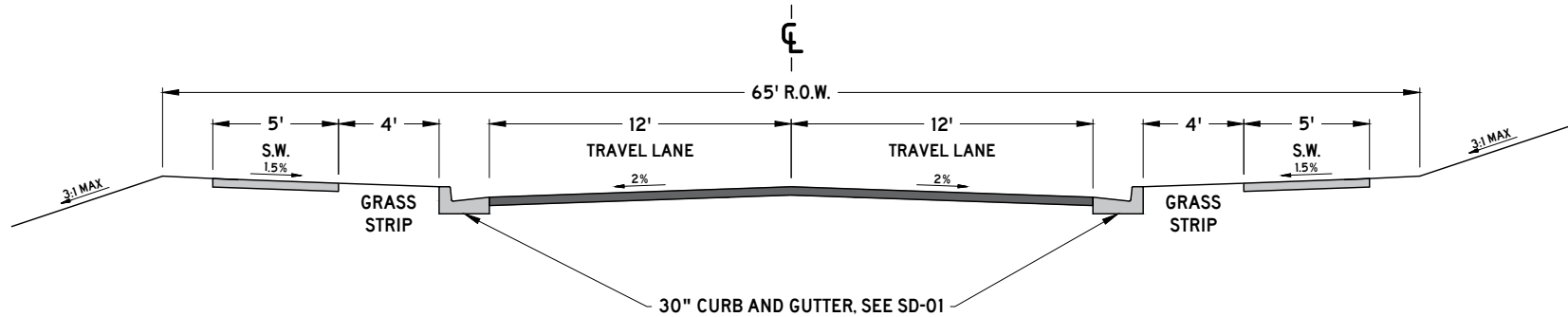
STANDARD DETAILS

COLLECTOR ROADWAY

(NTS)

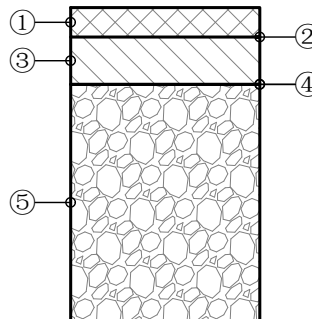
DATE
6/9/2022

RD-03



PAVEMENT SCHEDULE

①	SURFACE @ 1.5" THICK 411-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING D (SURFACE), OR 307-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING C-W (SURFACE)
②	TACK COAT (GENERAL USE) 403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY)
③	BIT. BINDER @ 3" THICK 307-01.08 ASPHALT CONCRETE MIX (PG64-22) (BPMB-HM) GRADING B-M2
④	PRIME COAT 402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY) 402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY)
⑤	MINERAL AGGREGATE BASE @ 10" THICK 303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D



NOTES:

1. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
2. MAY INCLUDE A THIRD TRAVEL LANE 12 FEET IN WIDTH
3. DIMENSIONS REFLECT A MINIMUM STANDARD
4. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

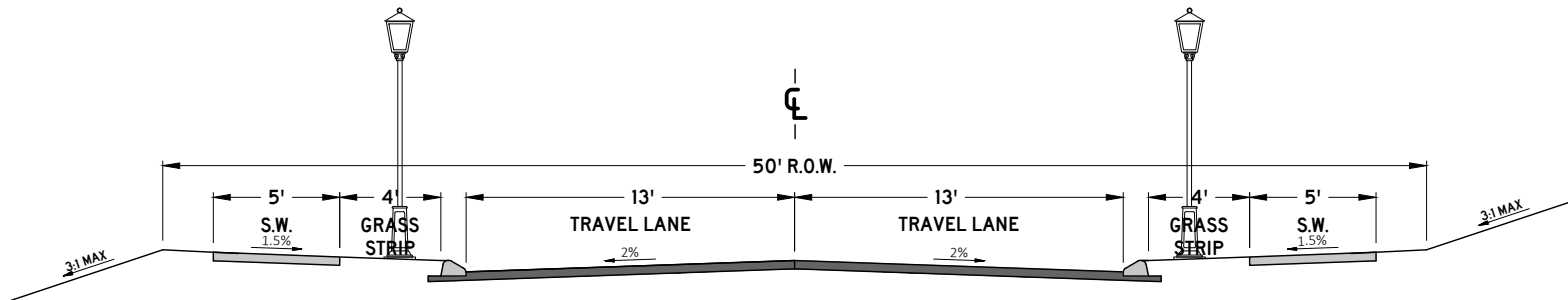
STANDARD DETAILS

MAJOR LOCAL / INDUSTRIAL ROADWAY

(NTS)

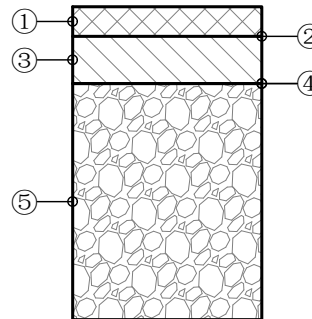
DATE
6/9/2022

RD-04



PAVEMENT SCHEDULE

①	SURFACE @ 1.5" THICK 411-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING D (SURFACE), OR 307-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING C-W (SURFACE)
②	TACK COAT (GENERAL USE) 403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY)
③	BIT. BINDER @ 2" THICK 307-01.08 ASPHALT CONCRETE MIX (PG64-22) (BPMB-HM) GRADING B-M2
④	PRIME COAT 402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY) 402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY)
⑤	MINERAL AGGREGATE BASE @ 8" THICK 303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D



NOTES:

1. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
2. DIMENSIONS REFLECT A MINIMUM STANDARD
3. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

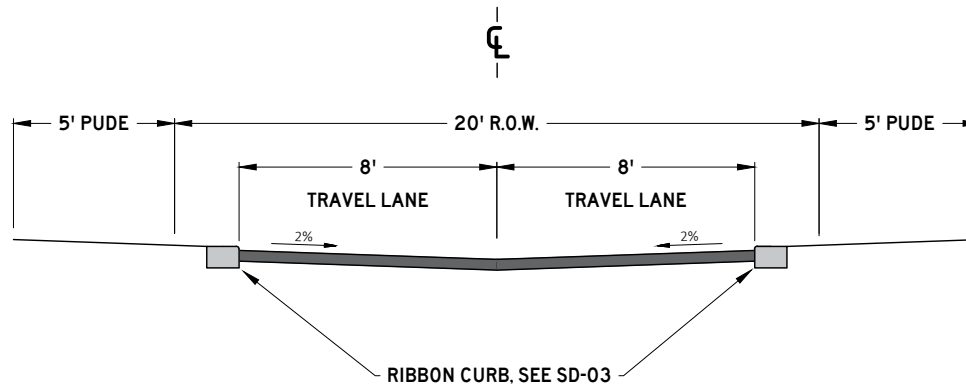
STANDARD DETAILS

MINOR LOCAL ROADWAY

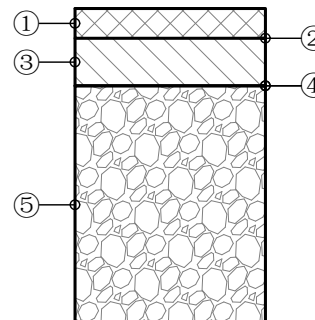
(NTS)

DATE
6/9/2022

RD-05



PAVEMENT SCHEDULE	
①	SURFACE @ 1.5" THICK 411-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING D (SURFACE), OR 307-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING C-W (SURFACE)
②	TACK COAT (GENERAL USE) 403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY)
③	BIT. BINDER @ 2" THICK 307-01.08 ASPHALT CONCRETE MIX (PG64-22) (BPMB-HM) GRADING B-M2
④	PRIME COAT 402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY) 402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY)
⑤	MINERAL AGGREGATE BASE @ 8" THICK 303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D



NOTES:

1. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
2. DIMENSIONS REFLECT A MINIMUM STANDARD
3. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

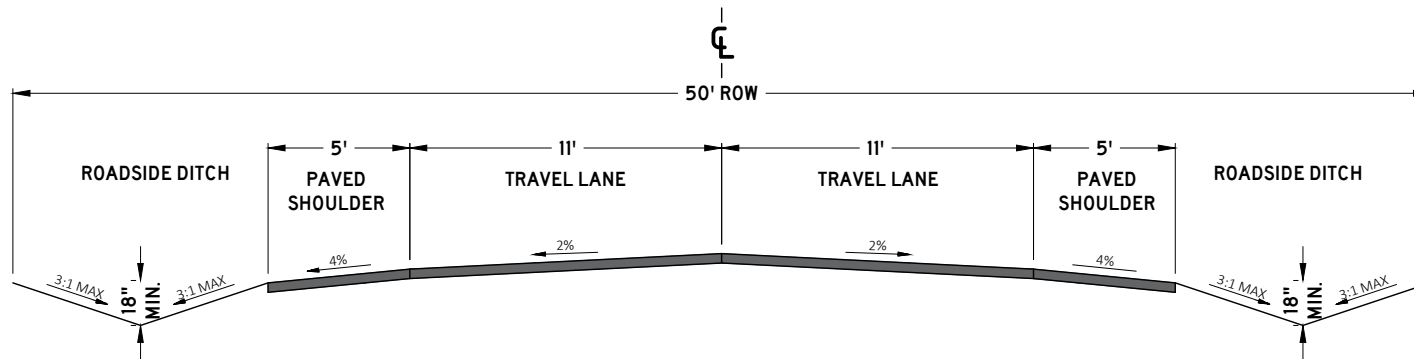
STANDARD DETAILS

ALLEY

(NTS)

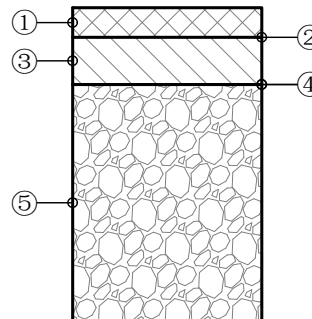
DATE
6/9/2022

RD-06



PAVEMENT SCHEDULE

- | | |
|---|---|
| ① | SURFACE @ 1.5" THICK
411-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING D (SURFACE), OR
307-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING C-W (SURFACE) |
| ② | TACK COAT (GENERAL USE)
403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY) |
| ③ | BIT. BINDER @ 3" THICK
307-01.08 ASPHALT CONCRETE MIX (PG64-22) (BPMB-HM) GRADING B-M2 |
| ④ | PRIME COAT
402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY)
402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY) |
| ⑤ | MINERAL AGGREGATE BASE @ 10" THICK
303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D |



NOTES:

1. SUITABLE FOR RURAL ROADWAYS WITH LESS THAN 1500 AADT
2. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
3. ONLY PERMITTED ON MINOR LOCAL OR MAJOR LOCAL ROADWAY CLASSIFICATIONS
4. PAVEMENT SECTION SHALL FOLLOW MAJOR LOCAL ROADWAY
5. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
6. DIMENSIONS REFLECT A MINIMUM STANDARD
7. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

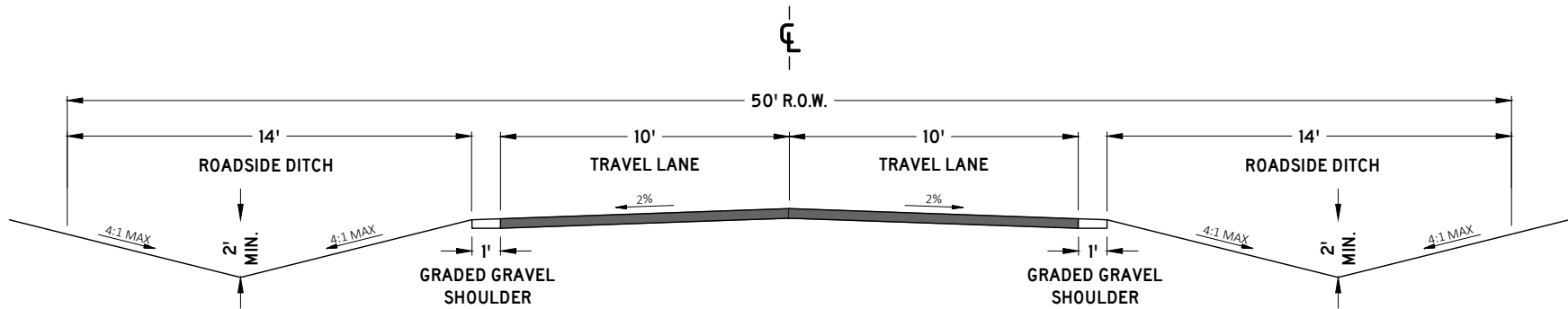
STANDARD DETAILS

RURAL ROADWAY (AADT < 1500)

(NTS)

DATE
6/9/2022

RD-07



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS.
2. ONLY PERMITTED ON MINOR LOCAL ROADWAY CLASSIFICATIONS.
3. PAVEMENT SECTION SHALL FOLLOW MINOR LOCAL ROADWAY.
4. GRADED SHOULDER DEPTH SHALL BE TO THE SAME DEPTH AS THE MINERAL AGGREGATE BASE FOR THE PAVEMENT SECTION.
5. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED.
6. DIMENSIONS REFLECT A MINIMUM STANDARD.
7. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER.



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

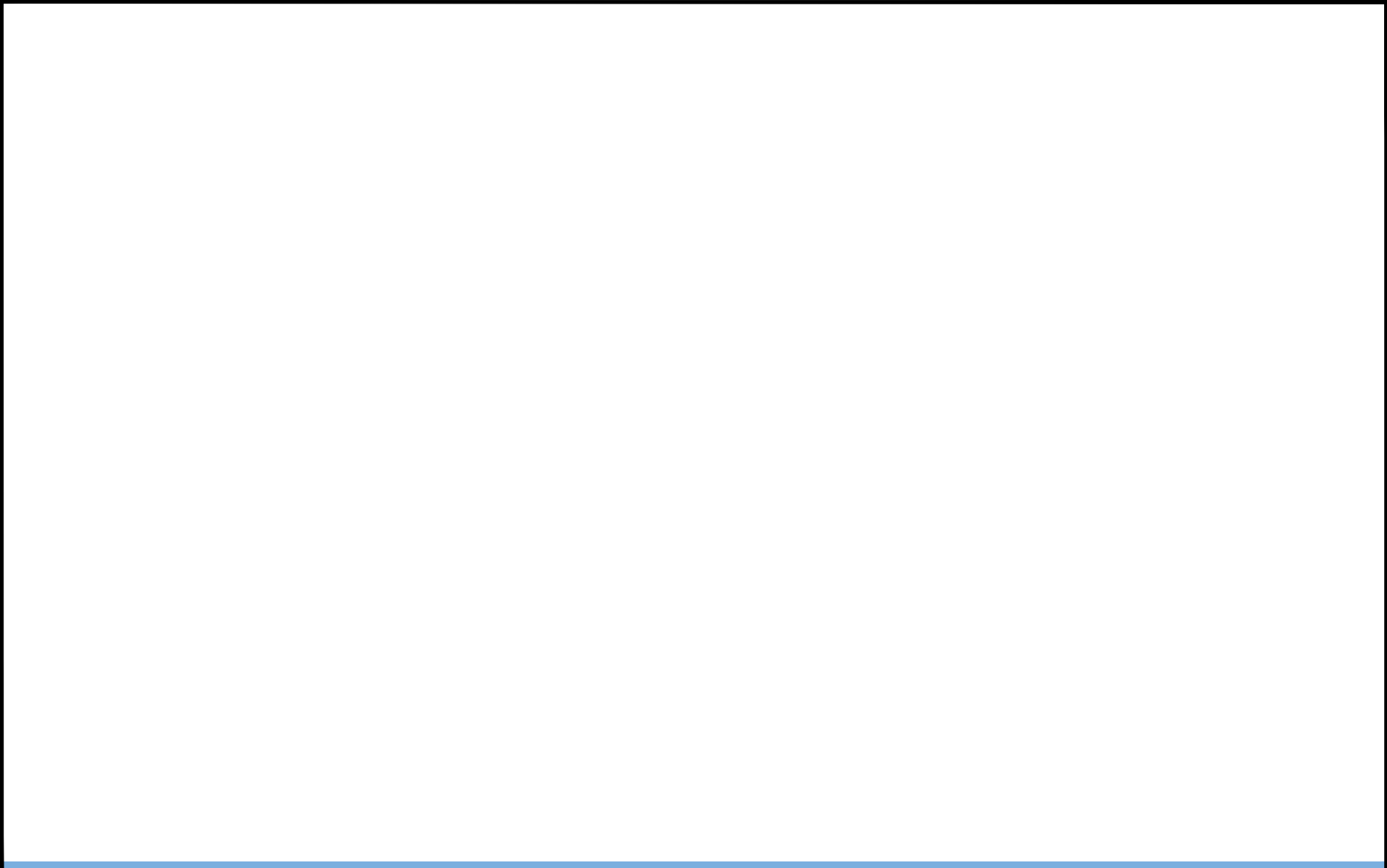
STANDARD DETAILS

**CHARACTER DISTRICT STREET
RURAL NEIGHBORHOOD
ROADSIDE DITCH**

(NTS)

DATE
7/1/2024

DS-01



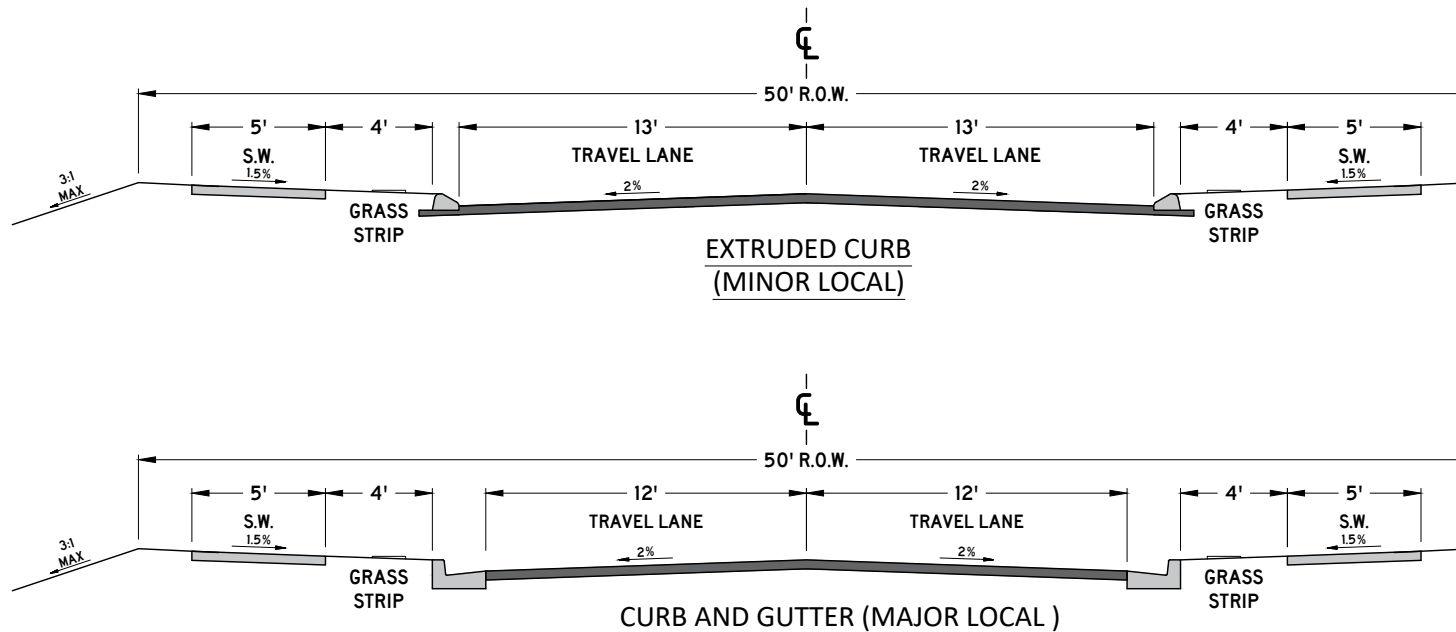
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
RURAL NEIGHBORHOOD
CURBED**
(NTS)

DATE
7/1/2024

DS-02



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

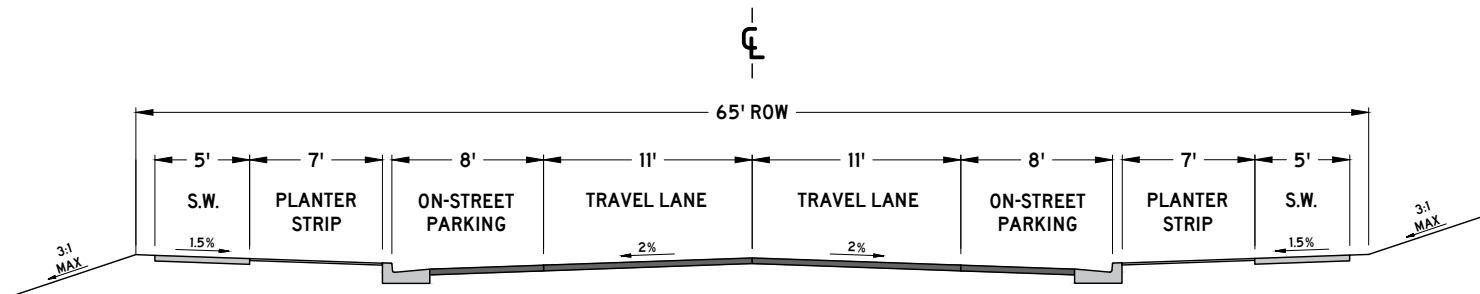
STANDARD DETAILS

**CHARACTER DISTRICT STREET
LARGE LOT NEIGHBORHOOD**

(NTS)

DATE
7/1/2024

DS-06



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



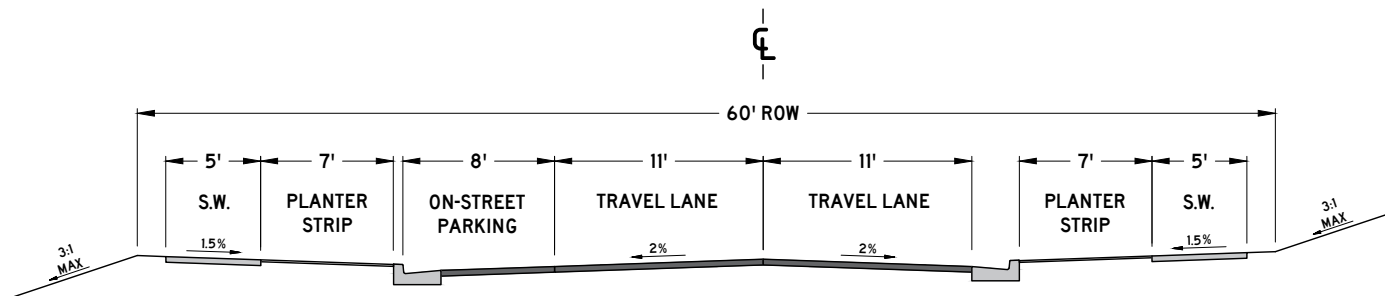
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
SUBURBAN NEIGHBORHOOD
PARALLEL PARKING BOTH SIDES**
(NTS)

DATE
7/1/2024

DS-10



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

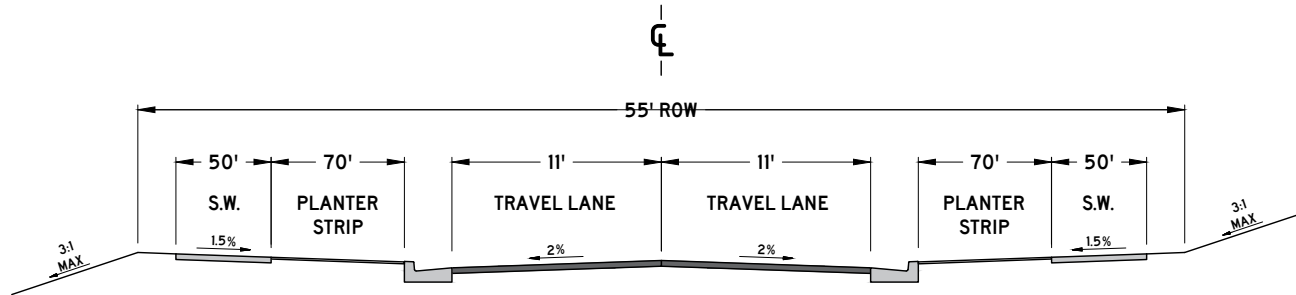
STANDARD DETAILS

**CHARACTER DISTRICT STREET
SUBURBAN NEIGHBORHOOD STREET
PARALLEL PARKING ONE SIDE**

(NTS)

DATE
7/1/2024

DS-11



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



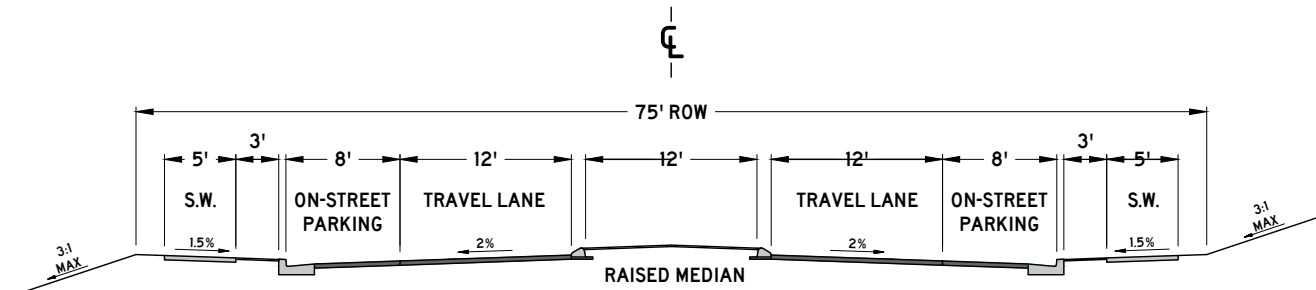
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
SUBURBAN NEIGHBORHOOD
NO PARALLEL PARKING**
(NTS)

DATE
7/1/2024

DS-12



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



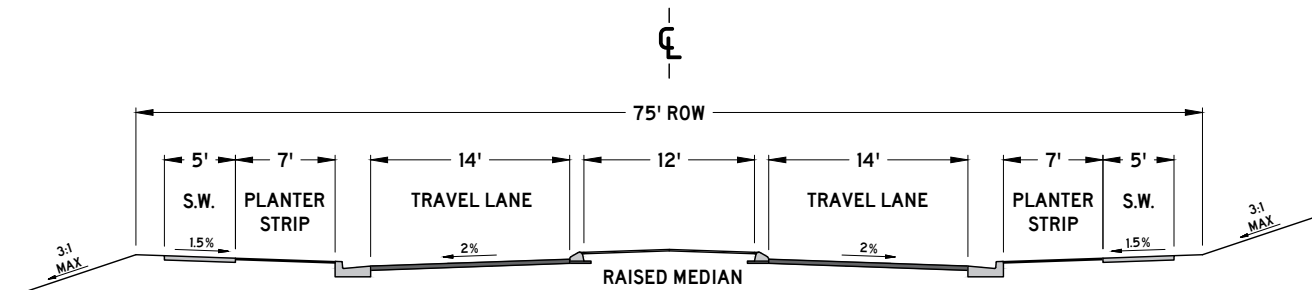
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
SUBURBAN BOULEVARD
PARALLEL PARKING BOTH SIDES**
(NTS)

DATE
7/1/2024

DS-13



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



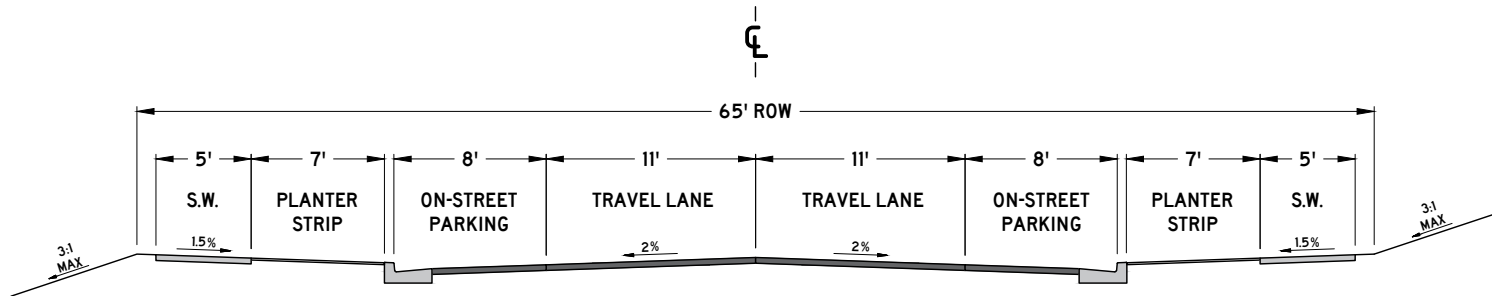
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
SUBURBAN BOULEVARD
NO PARALLEL PARKING**
(NTS)

DATE
7/1/2024

DS-14



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



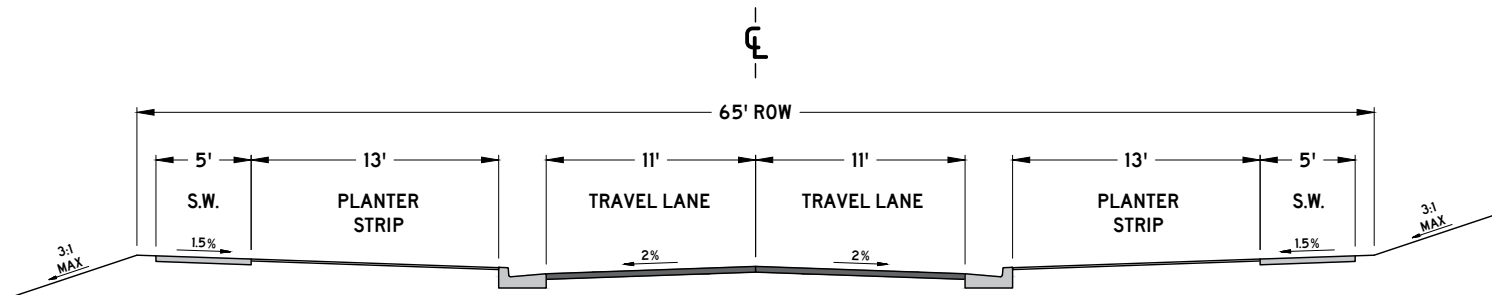
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN NEIGHBORHOOD
PARALLEL PARKING BOTH SIDES**
(NTS)

DATE
7/1/2024

DS-18



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



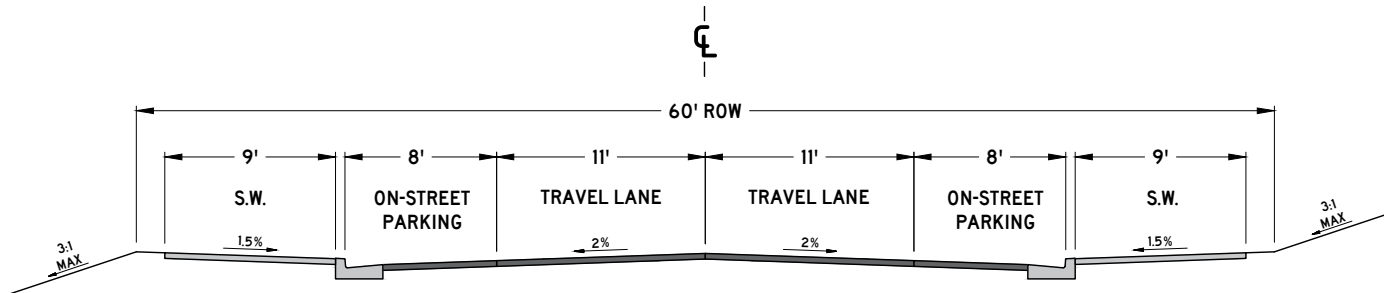
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN NEIGHBORHOOD
NO PARALLEL PARKING**
(NTS)

DATE
7/1/2024

DS-19



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



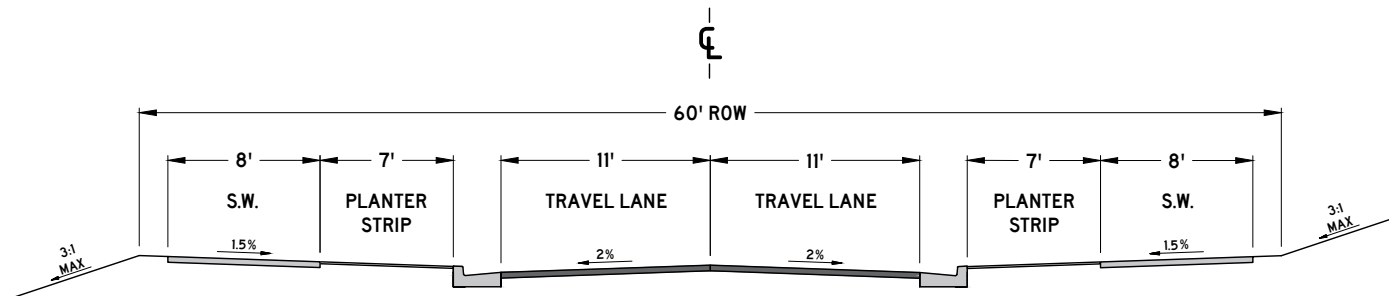
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN CENTER
PARALLEL PARKING BOTH SIDES
(NTS)**

DATE
7/1/2024

DS-20



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



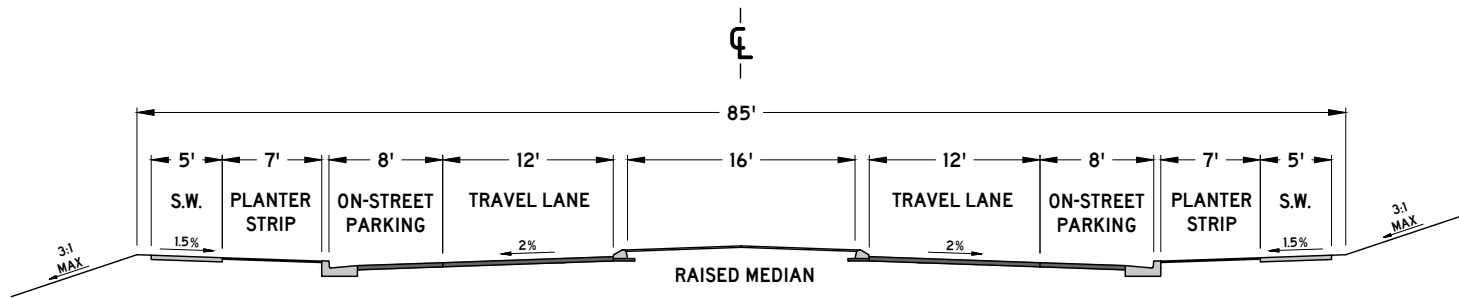
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN CENTER
NO PARALLEL PARKING**
(NTS)

DATE
7/1/2024

DS-20



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



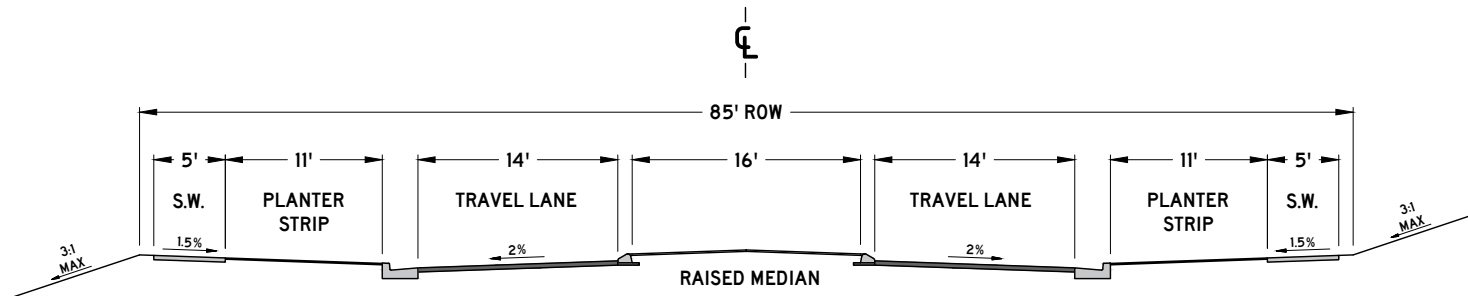
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN BOULEVARD
PARALLEL PARKING BOTH SIDES
(NTS)**

DATE
7/1/2024

DS-22



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



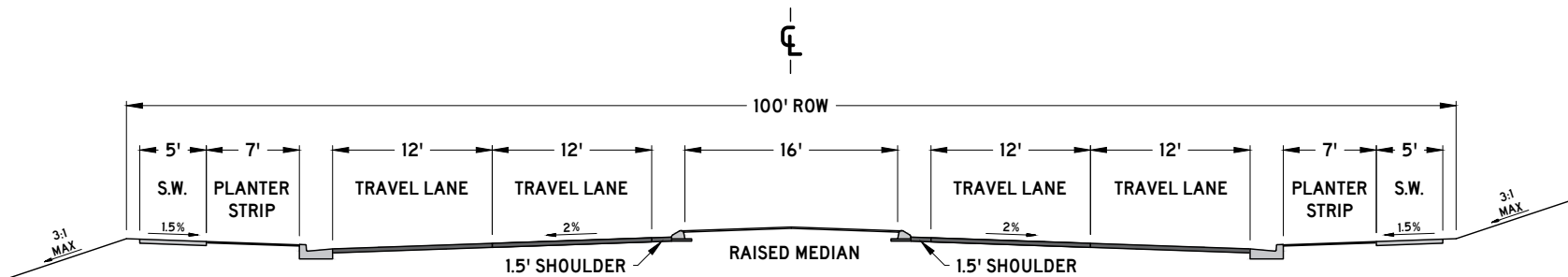
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN BOULEVARD
NO PARALLEL PARKING
(NTS)**

DATE
7/1/2024

DS-23



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



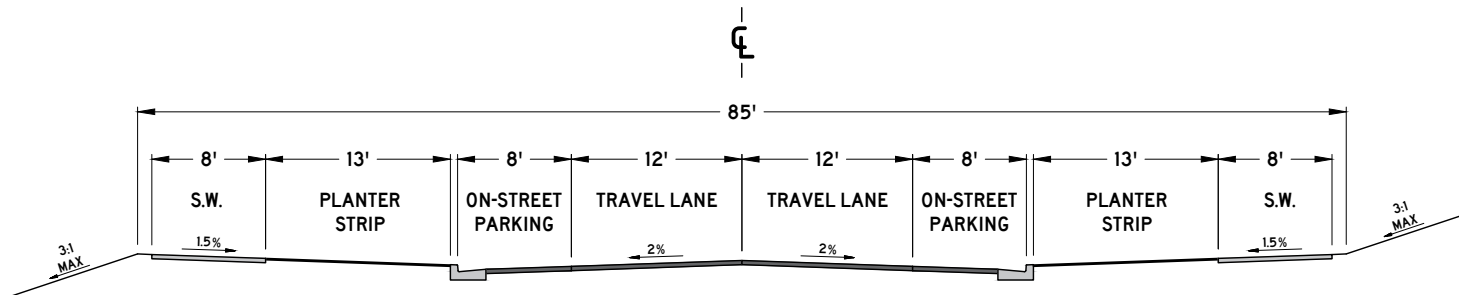
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN BOULEVARD
FOUR LANE
(NTS)**

DATE
7/1/2024

DS-24



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



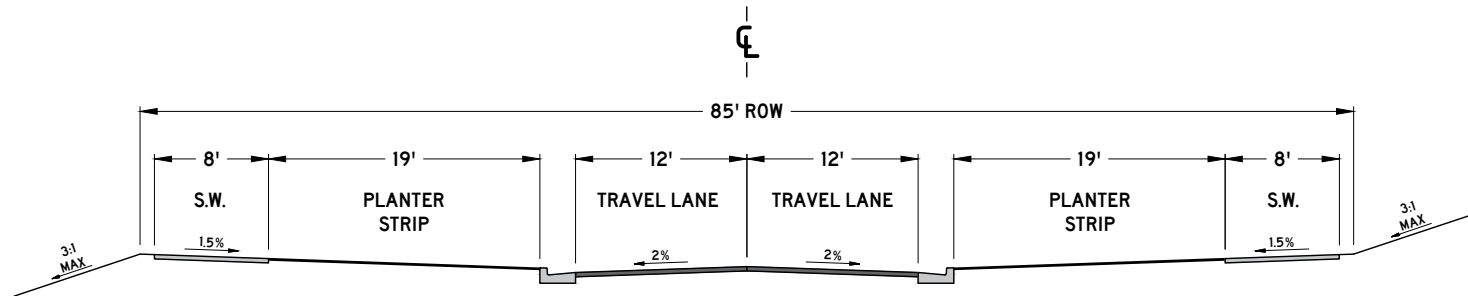
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN AVENUE
PARALLEL PARKING BOTH SIDES
(NTS)**

DATE
7/1/2024

DS-25



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



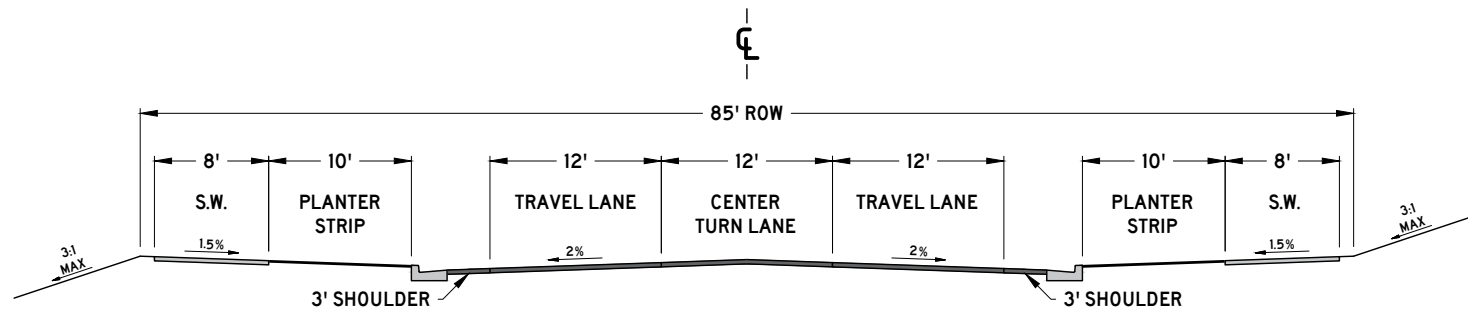
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN AVENUE
NO PARALLEL PARKING
(NTS)**

DATE
7/1/2024

DS-26



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



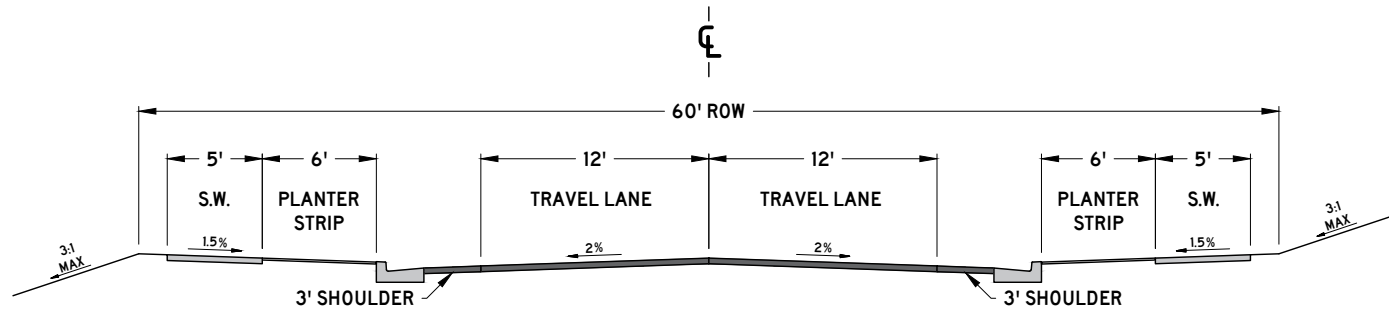
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN AVENUE
THREE LANE
(NTS)**

DATE
7/1/2024

DS-27



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



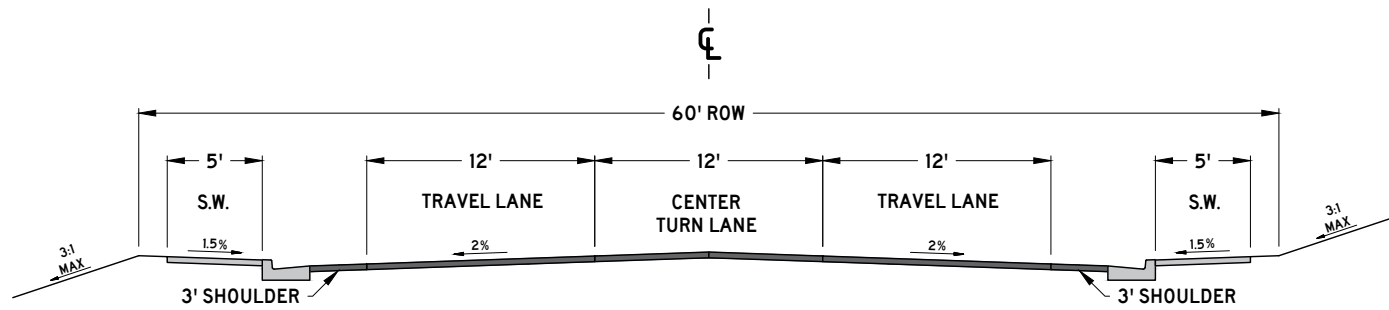
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
INDUSTRIAL
TWO LANE**
(NTS)

DATE
7/1/2024

DS-34



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



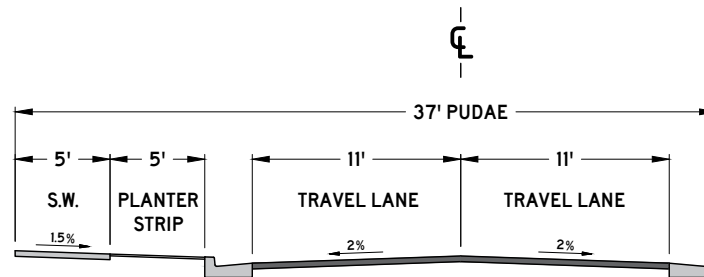
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
INDUSTRIAL
THREE LANE**
(NTS)

DATE
7/1/2024

DS-35



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. PAVEMENT SECTION SHALL FOLLOW THE MINOR LOCAL ROADWAY CLASSIFICATION'S STANDARD DETAIL
3. CURB AND GUTTER, SEE SD-01
4. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
5. DIMENSIONS REFLECT A MINIMUM STANDARD
6. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER
7. SHALL BE ENCOMPASSED IN A PUBLIC UTILITY, DRAINAGE, AND ACCESS EASEMENT (PUDAE). ADDITIONAL EASEMENTS MAY BE REQUIRED.
8. ADDITIONAL ELEMENTS SUCH AS PLANTER STRIPS, TREE WELLS, PLANTERS, DECORATIVE LIGHTING, AND ANGLE PARKING MAY BE PROVIDED. DIMENSIONS AND PLACEMENT OF SUCH ELEMENTS SHALL BE DETERMINED BY THE CITY ENGINEER.
9. PLANTER STRIPS MAY BE SUBSTITUTED WITH AN EQUIVALENT WIDTH OF SIDEWALK WITH TREE WELLS OR PLANTERS.
10. SIDEWALK AND PLANTER STRIPS SHALL BE PROVIDED ON AT LEAST ONE SIDE AND ON ALL SIDES WHERE BUILDING ENFRONT THE INTERNAL DRIVE



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

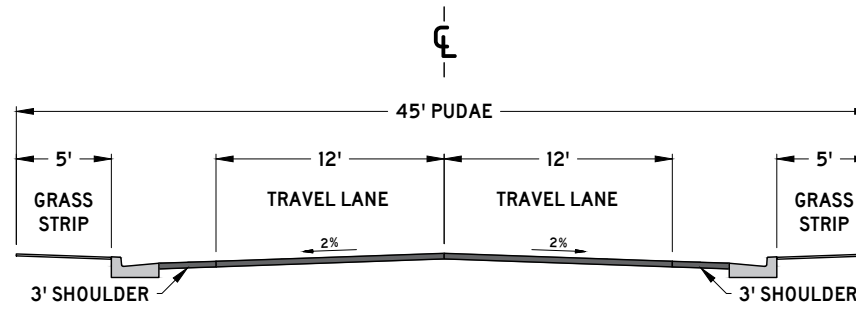
STANDARD DETAILS

**INTERNAL DRIVE
COMMERCIAL AND MIXED-USE**

(NTS)

DATE
7/1/2024

DS-39



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. PAVEMENT SECTION SHALL FOLLOW THE MAJOR LOCAL / INDUSTRIAL ROADWAY CLASSIFICATION'S STANDARD DETAIL
3. CURB AND GUTTER, SEE SD-01
4. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
5. DIMENSIONS REFLECT A MINIMUM STANDARD
6. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER
7. SHALL BE ENCOMPASSED IN A PUBLIC UTILITY, DRAINAGE, AND ACCESS EASEMENT (PUDAE). ADDITIONAL EASEMENTS MAY BE REQUIRED.
8. ADDITIONAL ELEMENTS SUCH AS PLANTER STRIPS, TREE WELLS, PLANTERS, DECORATIVE LIGHTING, AND ANGLE PARKING MAY BE PROVIDED. DIMENSIONS AND PLACEMENT OF SUCH ELEMENTS SHALL BE DETERMINED BY THE CITY ENGINEER.



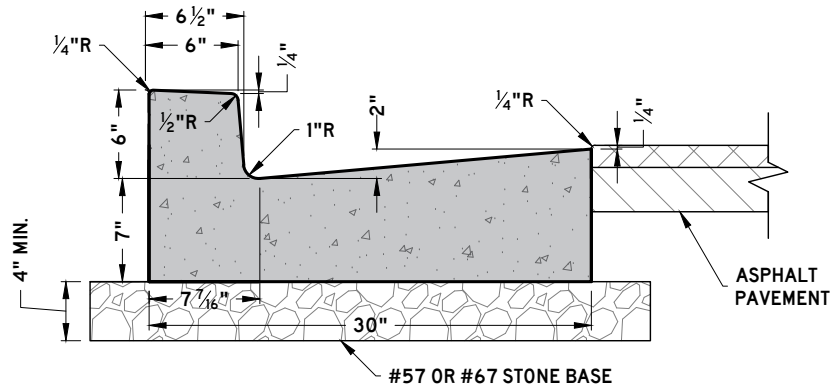
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

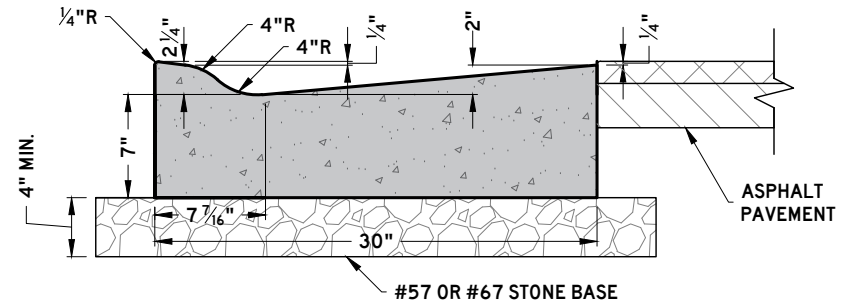
**INTERNAL DRIVE
INDUSTRIAL
ELEMENTS MAY VARY**
(NTS)

DATE
7/1/2024

DS-40



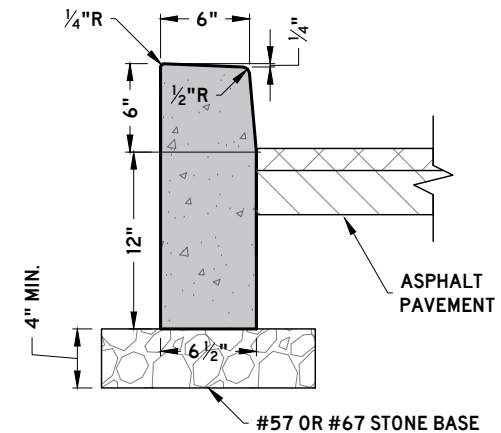
6-30 CONCRETE CURB AND GUTTER



LOWERED CONCRETE CURB AND GUTTER

NOTES:

1. BASED ON TDOT STANDARD DRAWING RP-VC-11
2. ONLY PERMITTED IN APPLICABLE ROADWAY SECTIONS
3. 4" MIN. THICK #57 OR # 67 STONE BASE
4. CLASS A 3000 PSI CONCRETE
5. EXPANSION JOINTS SHALL BE AS FOLLOWS:
 - 5.1. 1/2 INCH THICK
 - 5.2. A MAXIMUM SPACING OF 100 FEET
 - 5.3. AT TANGENTS OF ALL RADII OF CURVES
 - 5.4. BETWEEN CURBS AND ANY RIGID OBJECTS
 - 5.5. ALIGNED WITH ADJACENT EXPANSION JOINTS
 - 5.6. RUBBERIZED EXPANSION JOINT FILLER (AASHTO M153, TYPE 1)
 - 5.7. POLYPROPYLENE FOAM JOINT FILLER (ASTM D8139)
6. CONTRACTION JOINTS SHALL BE AS FOLLOWS:
 - 6.1. A MAXIMUM SPACING OF 10 FEET
 - 6.2. A MINIMUM SPACING OF 6 FEET
 - 6.3. 1/4 INCH DEPTH, EITHER SAWCUT OR HAND GROOVED.
7. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



VERTICAL POST CURB



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

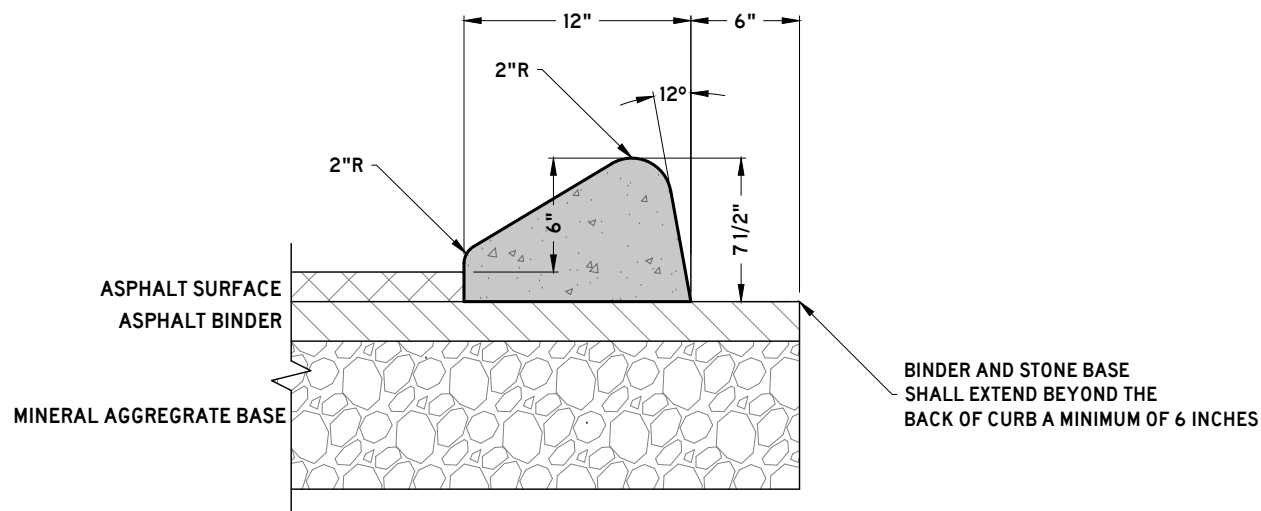
STANDARD DETAILS

**CURB AND GUTTER
AND POST CURB**

(NTS)

DATE
6/9/2022

SD-01



NOTES:

1. BASED ON TDOT STANDARD DRAWING RP-SC-1
2. ONLY PERMITTED IN APPLICABLE ROADWAY SECTIONS
3. CLASS A 3000 PSI CONCRETE
4. CONTRACTION JOINTS SHALL BE AS FOLLOWS:
 - 4.1. A MAXIMUM SPACING OF 10 FEET
 - 4.2. A MINIMUM SPACING OF 6 FEET
 - 4.3. 1/4 INCH DEPTH, EITHER SAWCUT OR HAND GROOVED.
5. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

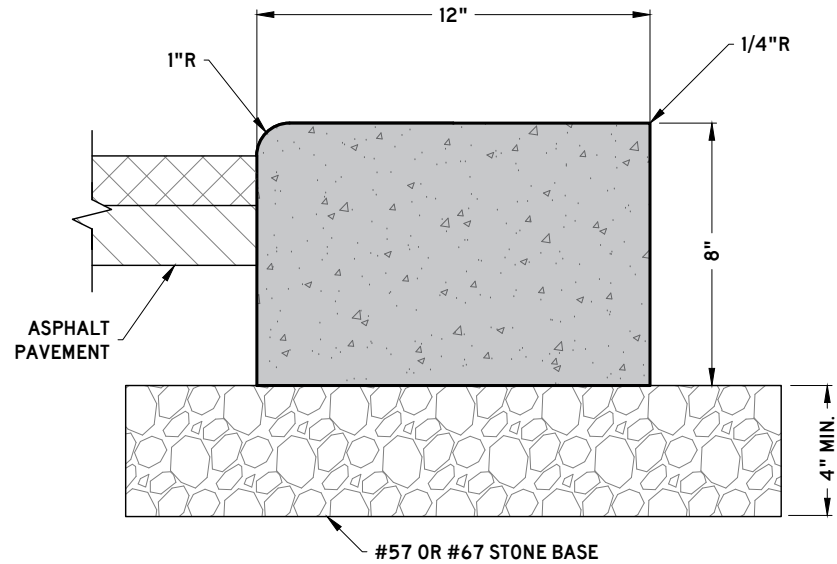
STANDARD DETAILS

EXTRUDED MOUNTABLE CURB

(NTS)

DATE
6/9/2022

SD-02



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON ALLEYS
3. CLASS A 3000 PSI CONCRETE
4. EXPANSION JOINTS SHALL BE AS FOLLOWS:
 - 4.1. 1/2 INCH THICK
 - 4.2. A MAXIMUM SPACING OF 100 FEET
 - 4.3. AT TANGENTS OF ALL RADII OF CURVES
 - 4.4. BETWEEN CURBS AND ANY RIGID OBJECTS
 - 4.5. ALIGNED WITH ADJACENT EXPANSION JOINTS
 - 4.6. RUBBERIZED EXPANSION JOINT FILLER (AASHTO M153, TYPE 1)
 - 4.7. POLYPROPYLENE FOAM JOINT FILLER (ASTM D8139)
5. CONTRACTION JOINTS SHALL BE AS FOLLOWS:
 - 5.1. A MAXIMUM SPACING OF 10 FEET
 - 5.2. A MINIMUM SPACING OF 6 FEET
 - 5.3. 1/4 INCH DEPTH, EITHER SAWCUT OR HAND GROOVED.
6. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

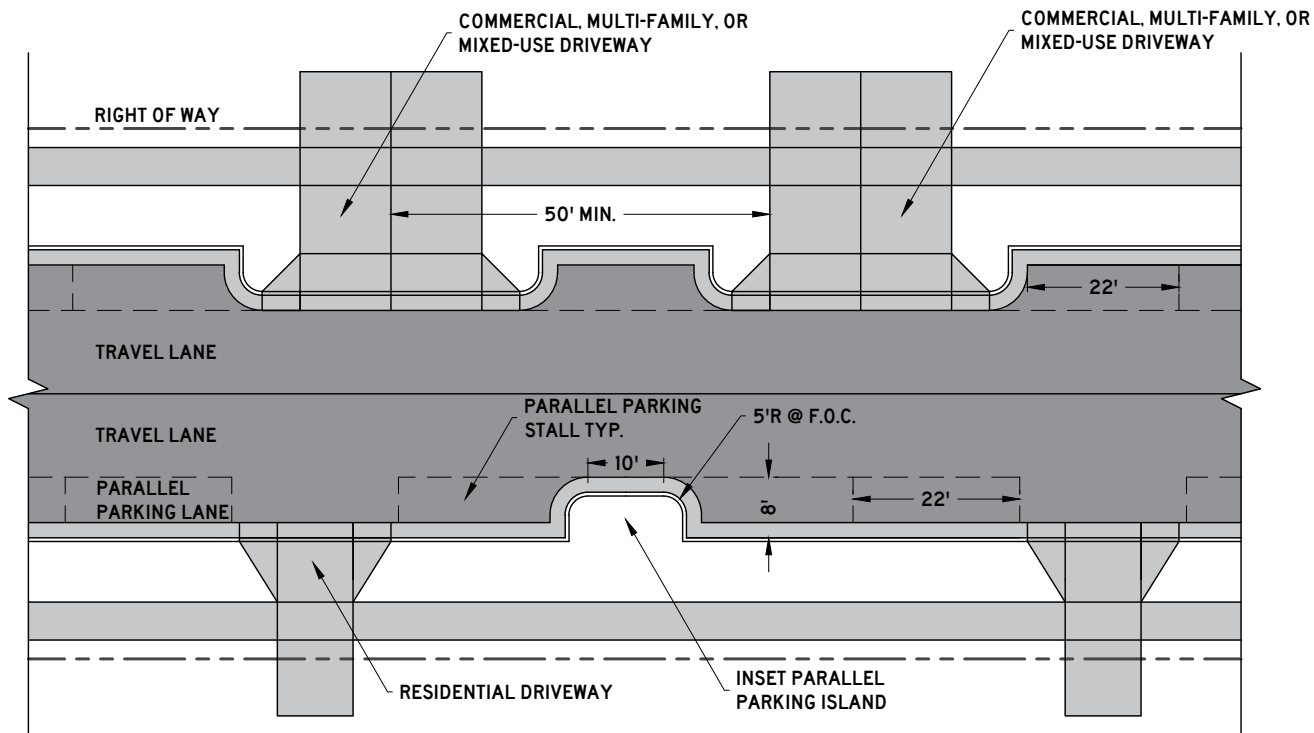
STANDARD DETAILS

RIBBON CURB

(NTS)

DATE
6/9/2022

SD-03



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. PARKING ISLANDS SHALL BE PROVIDED EVERY 220 FEET AT MINIMUM.
3. PARKING ISLANDS SHALL BE PROVIDED AT EVERY INTERSECTION.
4. COMMERCIAL, MULTI-FAMILY, AND MIXED-USE DRIVEWAYS SHALL REQUIRE PARKING ISLANDS ADJACENT TO THE DRIVEWAY.
5. RESIDENTIAL DRIVEWAYS SHALL NOT REQUIRE PARKING ISLANDS ADJACENT TO THE DRIVEWAY, BUT SHALL BE LOCATED BETWEEN PARKING STALLS WHERE PRACTICABLE.
6. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

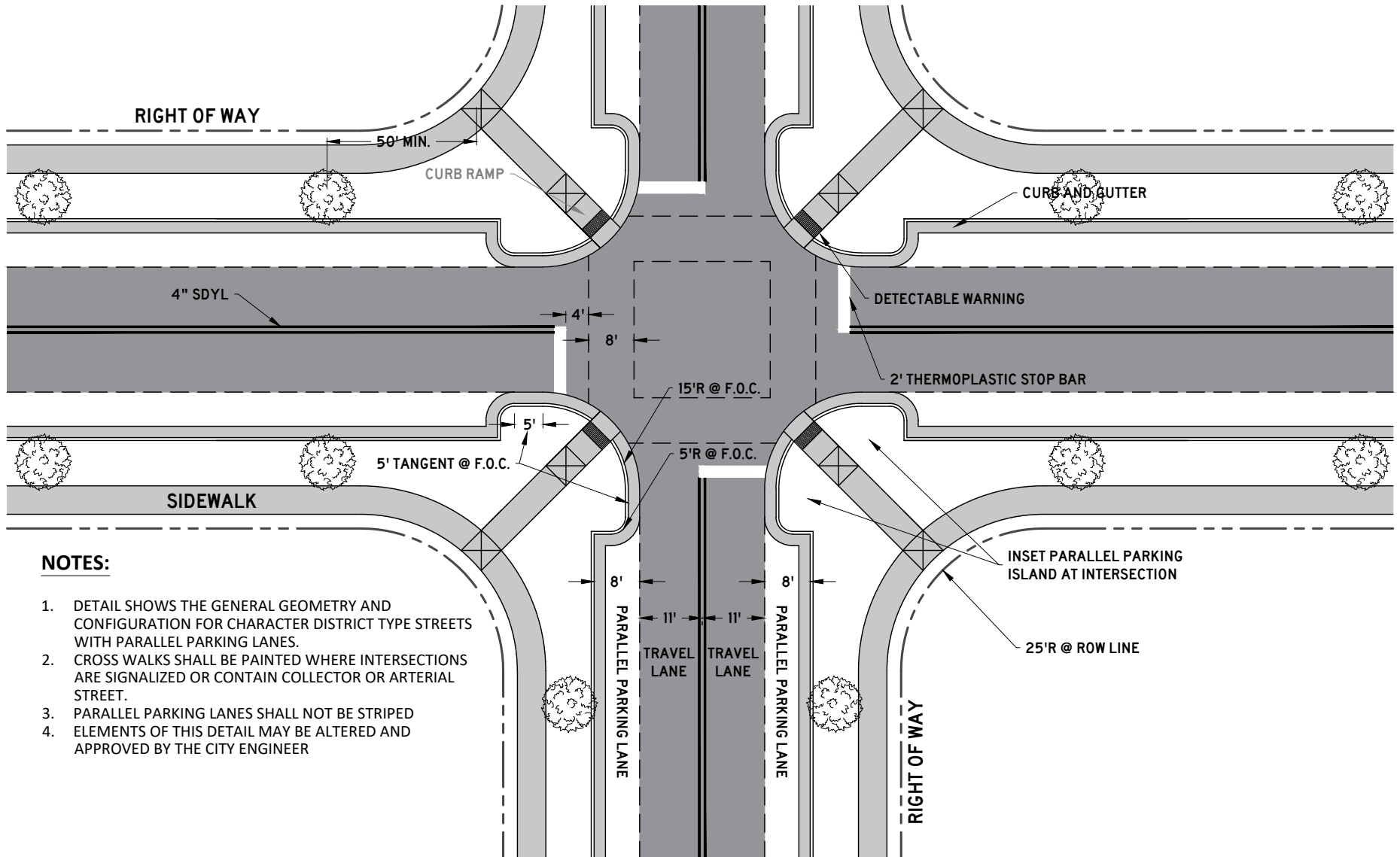
STANDARD DETAILS

INSET PARALLEL PARKING AND ISLANDS

(NTS)

DATE
6/9/2022

SD-06



NOTES:

1. DETAIL SHOWS THE GENERAL GEOMETRY AND CONFIGURATION FOR CHARACTER DISTRICT TYPE STREETS WITH PARALLEL PARKING LANES.
2. CROSS WALKS SHALL BE PAINTED WHERE INTERSECTIONS ARE SIGNALIZED OR CONTAIN COLLECTOR OR ARTERIAL STREET.
3. PARALLEL PARKING LANES SHALL NOT BE STRIPED
4. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

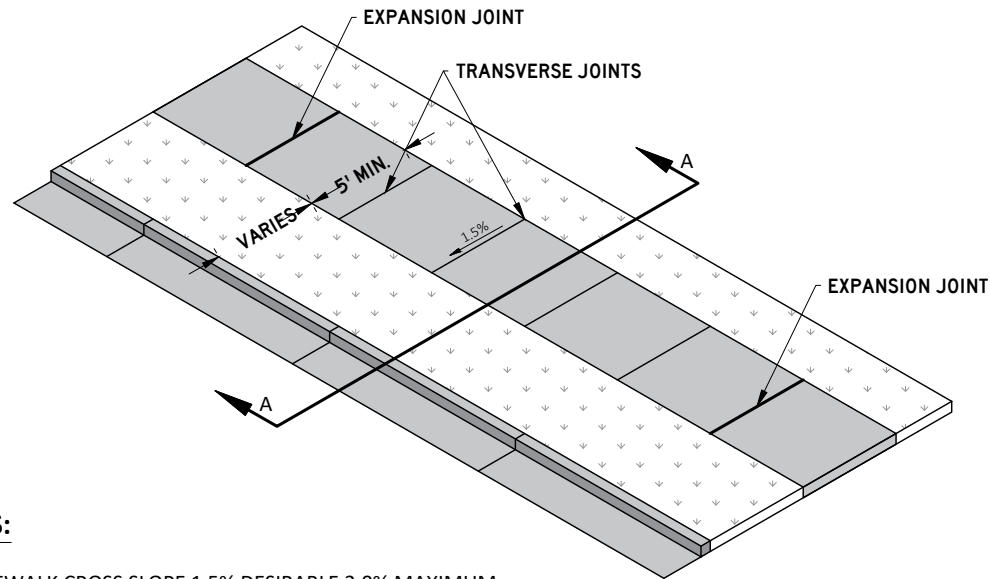
STANDARD DETAILS

INTERSECTION CONFIGURATION AND GEOMETRY

(NTS)

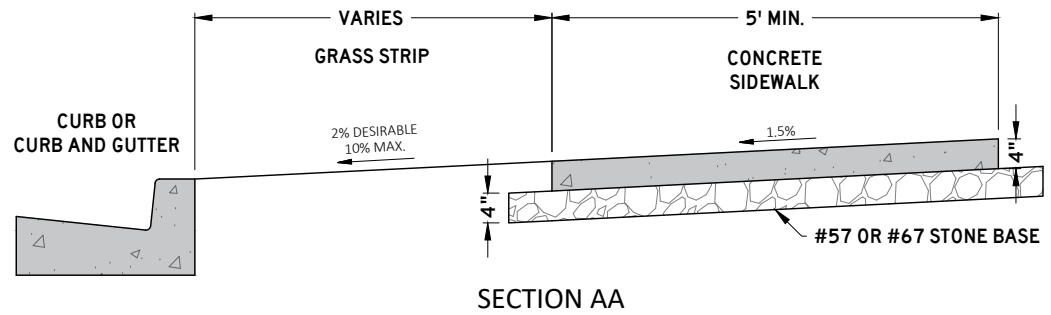
DATE
6/9/2022

SD-07



NOTES:

1. SIDEWALK CROSS SLOPE 1.5% DESIRABLE 2.0% MAXIMUM.
2. SIDEWALK GRADE SHALL FOLLOW THE ROAD GRADE WHERE POSSIBLE.
3. 4" MIN. THICK #57 OR # 67 STONE BASE
4. 4" MIN. THICKNESS CLASS A 3000 PSI CONCRETE WITH FIBER REINFORCEMENT, BROOM FINISHED.
5. EXPANSION JOINTS SHALL BE AS FOLLOWS:
 - 5.1. 1/2 INCH THICK
 - 5.2. A MAXIMUM SPACING OF 25 FEET
 - 5.3. AT TANGENTS OF ALL RADII OF CURVES
 - 5.4. BETWEEN CURBS AND ANY RIGID OBJECTS
 - 5.5. ALIGNED WITH ADJACENT EXPANSION JOINTS
 - 5.6. RUBBERIZED EXPANSION JOINT FILLER (AASHTO M153, TYPE 1)
 - 5.7. POLYPROPYLENE FOAM JOINT FILLER (ASTM D8139)
6. PROVIDE TRANSVERSE JOINTS AS NEARLY AS SQUARE AS PRACTICABLE. ON SIDEWALKS GREATER THAN 8 FEET IN WIDTH, PROVIDE A LONGITUDINAL JOINT ALONG THE CENTERLINE OF THE SIDEWALK.
7. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

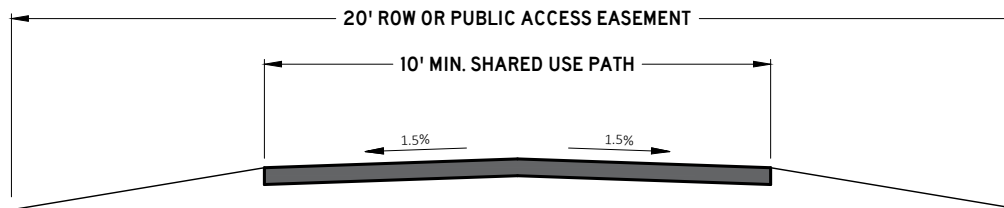
STANDARD DETAILS

CONCRETE SIDEWALK

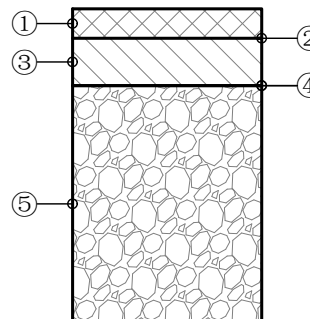
(NTS)

DATE
6/9/2022

SD-10



PAVEMENT SCHEDULE	
①	SURFACE @ 1.5" THICK 411-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING D (SURFACE), OR 307-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING C-W (SURFACE)
②	TACK COAT (GENERAL USE) 403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY)
③	BIT. BINDER @ 2" THICK 307-01.08 ASPHALT CONCRETE MIX (PG64-22) (BPM-B-HM) GRADING B-M2
④	PRIME COAT 402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY) 402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY)
⑤	MINERAL AGGREGATE BASE @ 6" THICK 303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D



NOTES:

1. CROSS SLOPE 1.5% DESIRABLE 2.0% MAXIMUM.
2. MAY BE GRADED TO DRAIN TO ONE DIRECTION, OR CROWNED AS SHOWN.
3. WHERE ADJACENT TO A ROADWAY, PATH SHALL BE GRADED TO DRAIN TOWARDS CURB LINE.
4. CONCRETE PAVEMENT ALLOWED, SEE SD-10 FOR CONSTRUCTION METHODS AND MATERIALS.
5. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

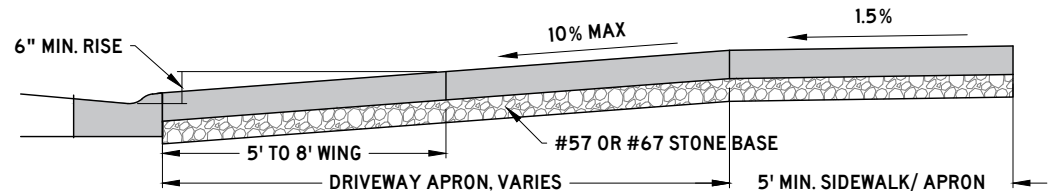
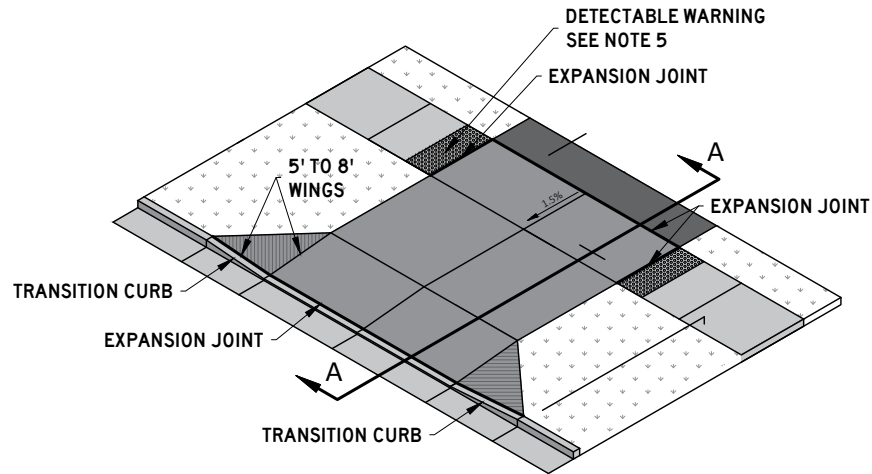
STANDARD DETAILS

SHARED USE PATH

(NTS)

DATE
6/9/2022

SD-11



SECTION AA

NOTES:

1. SIDEWALK CROSS SLOPE 1.5% DESIRABLE 2.0% MAXIMUM.
2. APRON SLOPE 2.0% MIN. 10% MAX. MINIMUM OF 6" RISE ABOVE GUTTER LINE.
3. 4" MIN. THICK #57 OR # 67 STONE BASE
4. CLASS A 3000 PSI CONCRETE WITH FIBER REINFORCEMENT
 - 4.1. 6" MIN. THICKNESS RESIDENTIAL.
 - 4.2. 8" MIN. THICKNESS COMMERCIAL, MULTI-FAMILY, AND MIXED-USE.
5. EXPANSION JOINTS SHALL BE AS FOLLOWS:
 - 5.1. 1/2 INCH THICK.
 - 5.2. RUBBERIZED EXPANSION JOINT FILLER (AASHTO M153, TYPE 1).
 - 5.3. POLYPROPYLENE FOAM JOINT FILLER (ASTM D8139).
6. DETECTABLE WARNINGS WHERE DRIVEWAY IS STOP CONTROLLED.
7. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

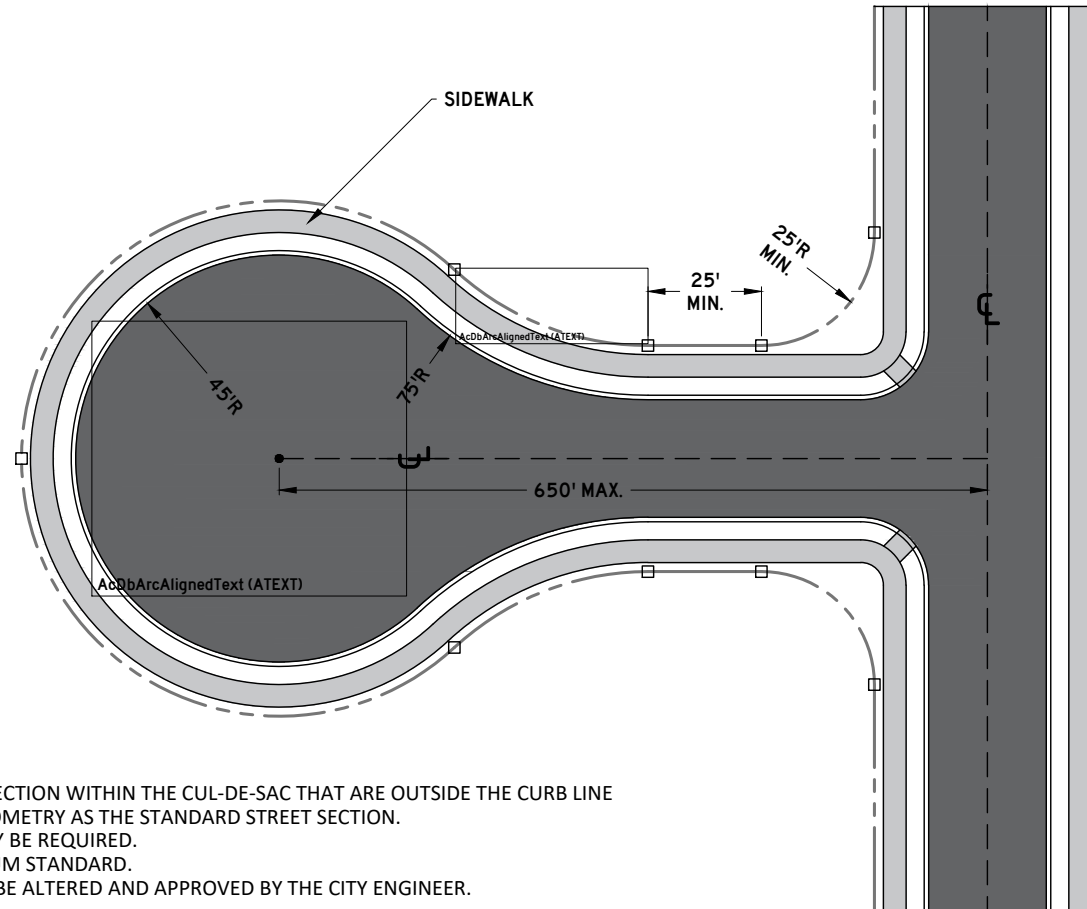
STANDARD DETAILS

DRIVEWAY APRON

(NTS)

DATE
6/9/2022

SD-12



NOTES:

1. ALL ELEMENTS OF THE STREET SECTION WITHIN THE CUL-DE-SAC THAT ARE OUTSIDE THE CURB LINE SHALL MAINTAIN THE SAME GEOMETRY AS THE STANDARD STREET SECTION.
2. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED.
3. DIMENSIONS REFLECT A MINIMUM STANDARD.
4. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER.



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

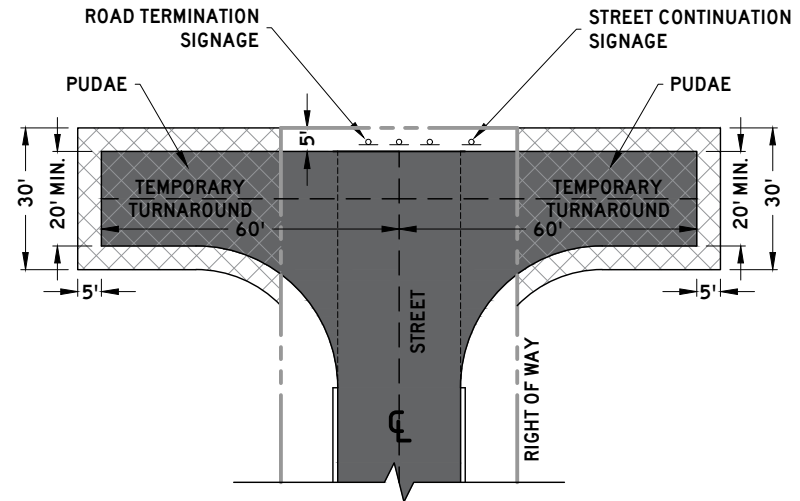
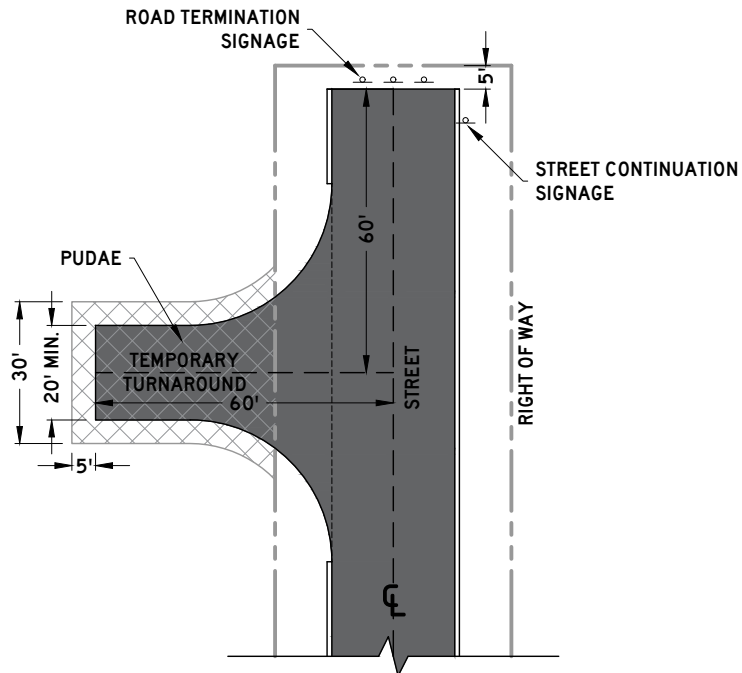
STANDARD DETAILS

CUL-DE-SAC

(NTS)

DATE
6/9/2022

SD-15

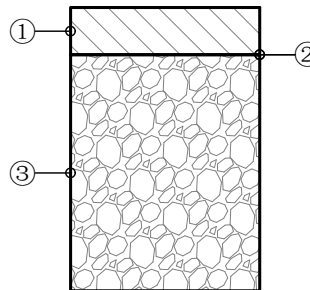


NOTES:

1. TEMPORARY TURNAROUNDS SHALL BE SHOWN ON ALL FINAL PLATS AND DEVELOPMENT PLANS WHERE REQUIRED
2. TEMPORARY TURNAROUNDS SHALL BE CONSTRUCTED PRIOR TO FINAL PLAT APPROVAL
3. TERMINATION AND STREET CONTINUATION SIGNAGE SHALL BE INSTALLED PRIOR TO FINAL PLAT APPROVAL
4. TURNAROUNDS SHALL BE CONSTRUCTED TO DRAIN
5. IF A CONNECTION IS NOT MADE TO ALLOW FOR THE REMOVAL OF THE TURNAROUND PRIOR TO STREET FINAL SURFACING, THE TURNAROUND SHALL BE SURFACED, CURBED, AND STRIPED WITH NO PARKING HATCHING.
6. ONCE ROADWAY CONNECTION IS MADE TO ALLOW FOR REMOVAL, THE TURNAROUND SHALL BE REMOVED PRIOR TO ANY FINAL PLAT OR FURTHER PERMITS BEING ISSUED.
7. DIMENSIONS REFLECT A MINIMUM STANDARD
8. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER

PAVEMENT SCHEDULE

- | | |
|---|---|
| ① | BIT. BINDER @ 2" THICK
307-01.08 ASPHALT CONCRETE MIX (PG64-22) (BPMB-HM) GRADING B-M2 |
| ② | PRIME COAT
402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY)
402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY) |
| ③ | MINERAL AGGREGATE BASE @ 8" THICK
303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D |



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

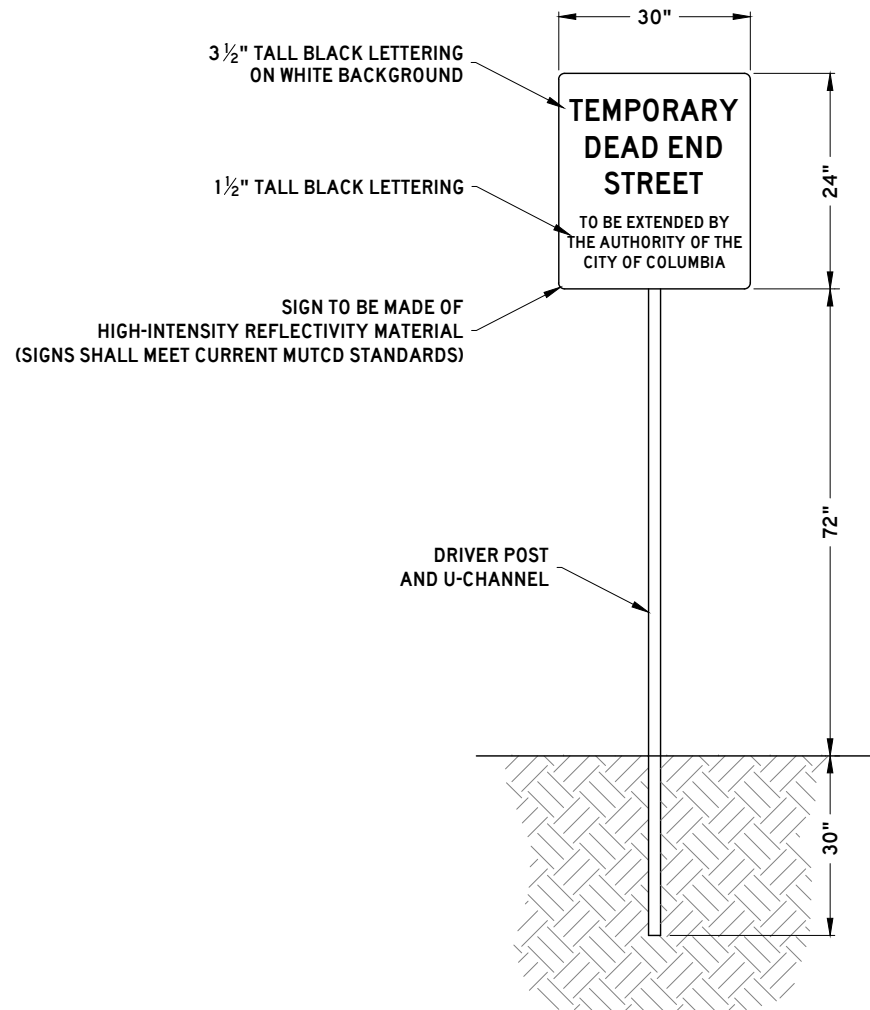
STANDARD DETAILS

TEMPORARY TURNAROUND

(NTS)

DATE
6/9/2022

SD-16



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

STREET CONTINUATION SIGNAGE

(NTS)

DATE
6/9/2022

SD-19

TYPE	TDOT STANDARD DRAWING OR CASTING MODEL
CURB INLET CATCH BASINS	TDOT CB SERIES NOS. 10, 11, 12, 13, 14, 16, 17
CURB AND GUTTER INLET CASTINGS	JB&S 3080
EXTRUDED CURB INLET CASTINGS	JB&S 3103
AREA DRAIN CATCH BASINS	TDOT CB SERIES NOS. 38, 39, 40, 42, 43
AREA DRAIN CASTINGS	TDOT CBB-42
JUNCTION BOXES	TDOT JBS SERIES NOS. 1, 2, 3, 4, AND 5
MANHOLES	TDOT MH SERIES NOS. 2, 3, 4, 5, 6, 7 AND TDOT RF-1
TRENCH DRAINS	TDOT TD-1
CONCRETE PIPE INSTALLATION	TDOT PB-1
FLEXIBLE PIPE INSTALLATION	TDOT PB-2
OVAL AND ARCH PIPES	TDOT PO-1
SAFETY CROSS DRAIN ENDWALLS	TDOT PE SERIES
SAFETY SIDE DRAIN ENDWALLS	TDOT SEW SERIES AND TDOT MSE-1
PROTECTED ENDWALLS	TDOT PE, PEW SERIES
FLUMES	TDOT FLU-1



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

INLETS, CASTINGS, STRUCTURES, AND PIPES

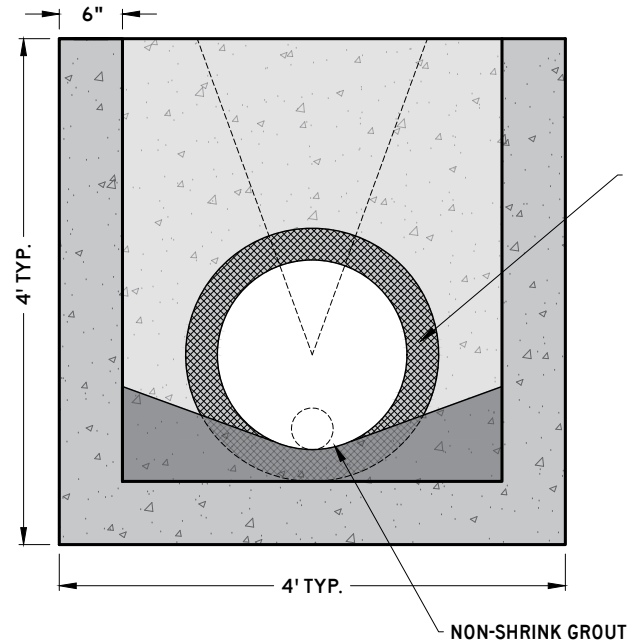
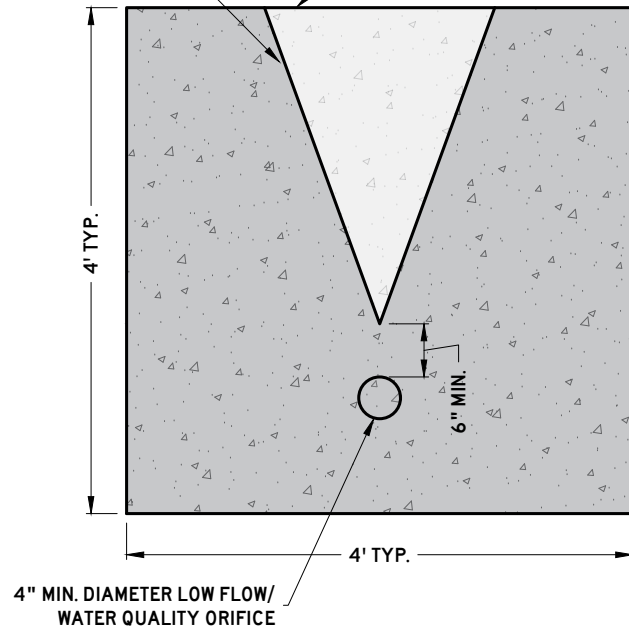
(NTS)

DATE
6/9/2022

DD-01

PRIMARY FLOW CONTROL WEIR
RECTANGULAR, CIPOLETTI,
OR V-NOTCH PREFERRED

TOP OF BOX AND
RECTANGULAR WEIR OVERFLOW



NOTES:

1. OUTLET CONTROL STRUCTURES SHALL MEET STORMWATER REGULATIONS AND TDEC WATER QUALITY REQUIREMENTS FOR DETENTION/RETENTION PONDS.
2. WHERE A DIAMETER LESS THAN 4 INCHES FOR THE LOW FLOW/WATER QUALITY ORIFICE IS REQUIRED, A STANDPIPE SHALL BE ATTACHED TO PROVIDE THE NECESSARY FLOW RESTRICTION.
3. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER.



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

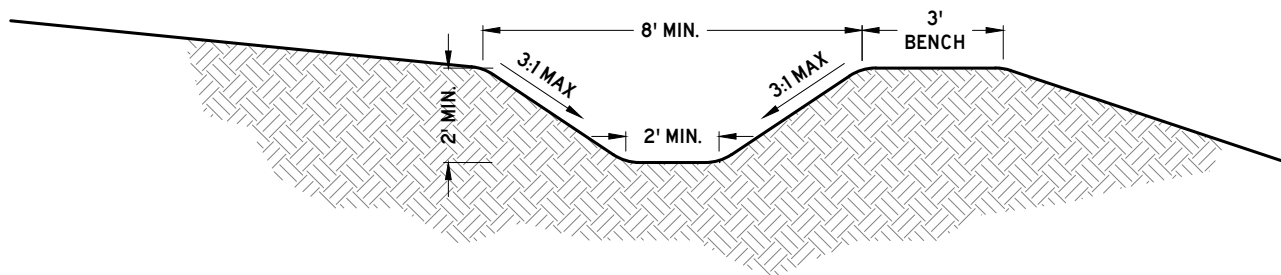
STANDARD DETAILS

OUTLET CONTROL STRUCTURE

(NTS)

DATE
6/9/2022

DD-02



NOTES:

1. DITCHES SHALL BE STABILIZED WITH APPROPRIATELY DESIGNED SOFT ARMORING.
2. RIP-RAP OR OTHER HARD ARMORING TECHNIQUES ARE DISCOURAGED AND SHALL ONLY BE APPROVED WHEN ALL OTHER MEANS OF STABILIZATION ARE EXHAUSTED.
3. FLOW LINE GRADE SHALL NOT BE LESS THAN 1.0%
4. FLOW LINE GRADE SHALL NOT BE MORE THAN 7.5%
5. WHERE PLACED ON A SLOPE, A BENCH OF MINIMUM WIDTH OF 3 FEET SHALL BE PROVIDED.
6. A MINIMUM OF 6 INCHES OF FREEBOARD ABOVE THE DESIGN FLOW DEPTH SHALL BE PROVIDED.
7. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER.



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

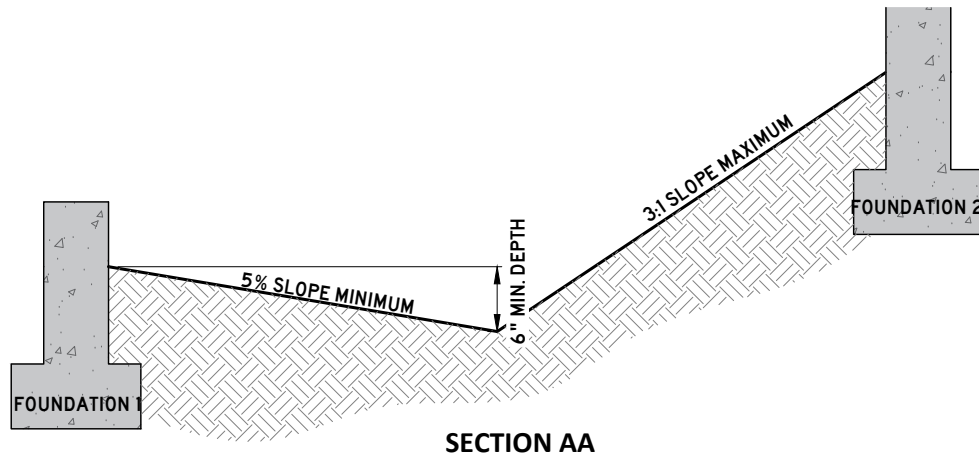
STANDARD DETAILS

TRAPEZOIDAL DITCH

(NTS)

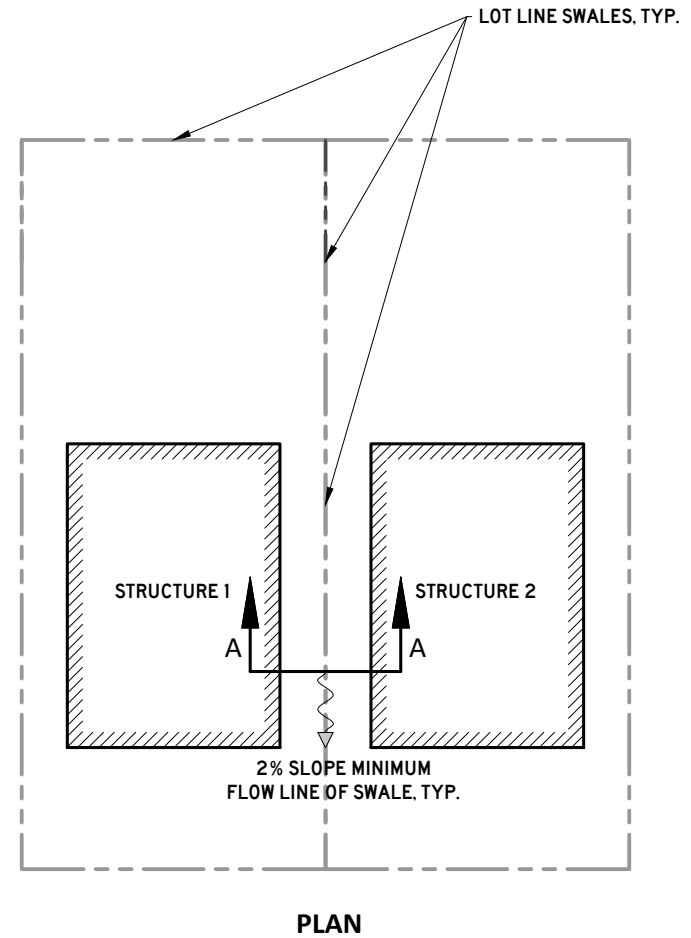
DATE
6/9/2022

DD-03



NOTES:

1. SURFACE DRAINAGE SHALL BE DIVERTED TO A STORM SEWER CONVEYANCE. ALL AREAS WITHIN A LOT SHALL BE GRADED TO DRAIN TO AN APPROVED STORMWATER CONVEYANCE.
2. LOTS SHALL BE GRADED TO DRAIN SURFACE WATER AWAY FROM FOUNDATIONS.
 - 2.1. LOTS SHALL BE GRADED TO PROVIDE A MINIMUM OF 6 INCHES OF FALL WITHIN THE FIRST 10 FEET OF THE STRUCTURE ALONG THE DIRECTION OF FLOW.
 - 2.2. LOTS SHALL BE GRADED TO PROVIDE A MINIMUM OF 1V:20H OF FALL PERPENDICULAR TO THE FACE OF THE FOUNDATION WALL WITHIN THE FIRST 5 FEET.
 - 2.3. IMPERVIOUS SURFACES SHALL BE SLOPED AT A MINIMUM OF 2% AWAY FROM THE STRUCTURE.
3. SWALES SHALL BE LOCATED ALONG LOT LINES TO REDUCE LOT TO LOT DRAINAGE, AND DIRECT STORMWATER RUNOFF TOWARDS APPROVED STORMWATER CONVEYANCES.
4. SWALES SHALL HAVE A MINIMUM SLOPE OF 2%.
5. FOUNDATIONS SHALL BE AT MINIMUM 12 INCHES ABOVE ANY THE RIM ELEVATION OR HIGHEST FLOW LINE OF ANY PUBLIC STORMWATER INFRASTRUCTURE THAT SURFACE DRAINAGE FROM THE LOT IS DIRECTED TO.
6. NON-PUBLIC STORMWATER INFRASTRUCTURE SHALL NOT SUCH AS YARD DRAINS SHALL NOT ALLEVIATE THE REQUIREMENTS OF NOTES 2 AND 3.
7. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

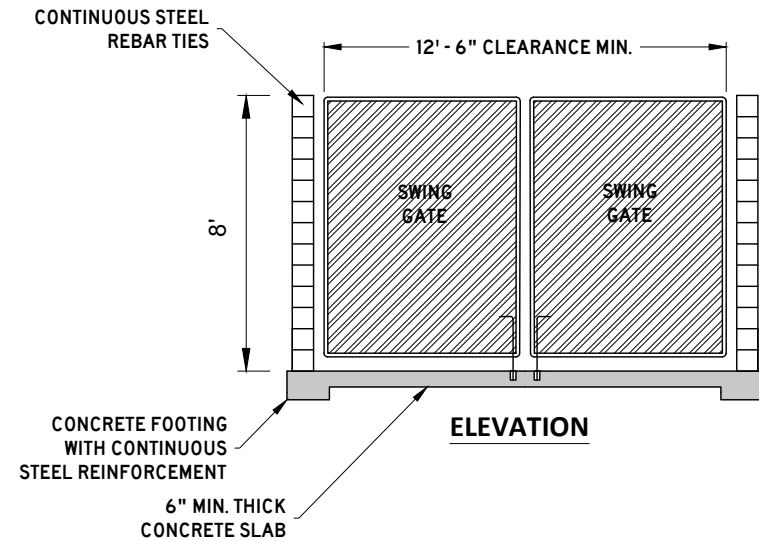
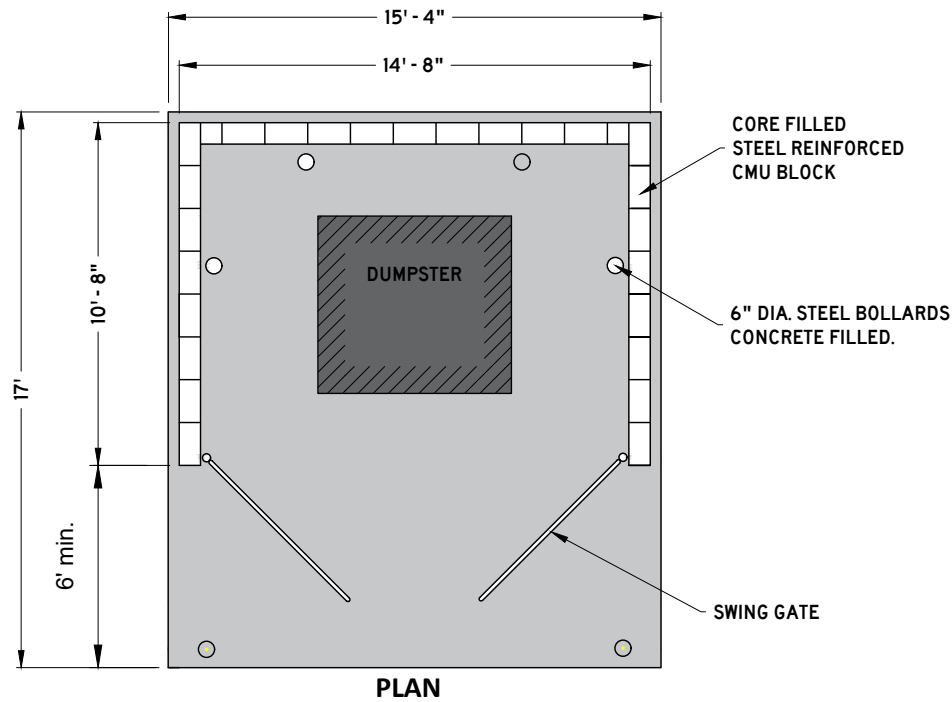
STANDARD DETAILS

RESIDENTIAL LOT GRADING AND DRAINAGE

(NTS)

DATE
6/9/2022

DD-04



NOTES:

1. MATERIALS, CONSTRUCTION AND QUANTITY CONTROL OF MASONRY SHALL BE IN ACCORDANCE WITH INTERNATIONAL BUILDING CODE (IBC).
2. MATERIALS USED SHOULD BE CONSISTENT WITH THOSE USED IN THE CONSTRUCTION OF AND ARCHITECTURAL STYLE OF THE PRINCIPAL BUILDING. SHALL BE COMPLIANT WITH THE ZONING ORDINANCE AND ALL OTHER APPLICABLE REGULATIONS
3. CONCRETE SLAB: MONOLITHIC, MIN. 6" THICKNESS W/IMBEDDED 6"x6"/ 10X10 WELDED WIRE FABRIC (W.W.F.), CLASS A 3000 P.S.I. CONCRETE FILLED CELLS: WITH 1-#5 VERTICAL REBAR TIED TO FOOTER STEEL AT EACH CORNER AND EVERY 4' O.C.
4. BOLLARD: 3'-6" HIGH, 6" DIAMETER STEEL PIPE BOLLARD FILLED WITH CONCRETE, PAINTED TRAFFIC YELLOW
5. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

DUMPSTER PAD AND ENCLOSURE

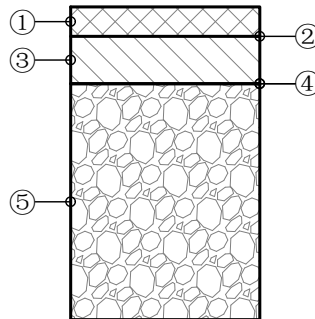
(NTS)

DATE
6/9/2022

MD-01

PAVEMENT SCHEDULE

- | | |
|---|---|
| ① | SURFACE @ 1.5" THICK
411-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING D (SURFACE), OR
307-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING C-W (SURFACE) |
| ② | TACK COAT (GENERAL USE)
403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY) |
| ③ | BIT. BINDER @ 2" THICK
307-01.08 ASPHALT CONCRETE MIX (PG64-22) (BPMB-HM) GRADING B-M2 |
| ④ | PRIME COAT
402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY)
402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY) |
| ⑤ | MINERAL AGGREGATE BASE @ 6" THICK
303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D |



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

PARKING LOT PAVEMENT SECTION

(NTS)

DATE
6/9/2022

MD-02

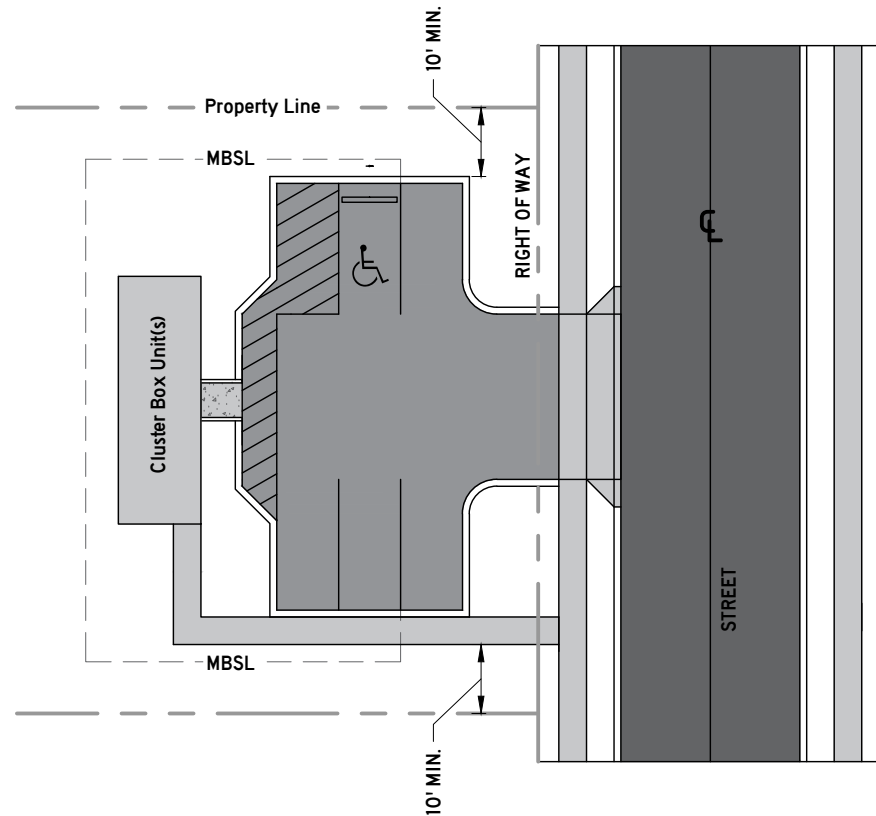
NOTES:

FOR 75 OR LESS CBU'S AT A SINGLE LOCATION

1. CLUSTER BOX UNITS (CBU'S) SHALL MEET USPS STANDARDS
2. CBU'S MAY BE LOCATED WITHIN THE RIGHT OF WAY
3. CBU'S SHALL NOT ENCROACH UPON THE ROADWAY OR SIDEWALK.
4. CBU'S SHOULD BE PLACED ALONG MINOR LOCAL ROADWAYS OR EQUIVALENT. FOR PLACEMENT ALONG COLLECTOR AND ARTERIAL ROADWAYS, FOLLOW THE STANDARDS BELOW, "FOR MORE THAN 75 CBU'S AT A SINGLE LOCATION".

FOR MORE THAN 75 CBU'S AT A SINGLE LOCATION

1. CBU'S SHALL MEET USPS STANDARDS
2. CBU'S SHALL BE LOCATED OUTSIDE OF THE RIGHT OF WAY WITHIN A COMMON OR OPEN SPACE LOT
3. CBU'S SHALL NOT BE PLACED WITHIN ANY EASEMENTS
4. CBU'S AND APPURTENANT BUILDING PAD(S) SHALL BE CONSIDERED A PRINCIPLE STRUCTURE AND SHALL ADHERE TO BUILDING SETBACKS
5. ACCESS AND DRIVEWAYS TO MEET ZONING CODE AND ACCESS MANAGEMENT
6. PARKING SHALL BE PROVIDED WITH A MINIMUM OF 2 PARKING STALLS PLUS 1 STALL PER 25 MAIL UNITS OR PORTION THEREOF ABOVE THE FIRST 25 MAIL UNITS, WITH A MAXIMUM OF TWICE THE MINIMUM
7. PARKING AND SIDEWALKS SHALL HAVE A 10 FT. MINIMUM BUFFER FROM ANY PROPERTY LINE
8. PARKING SHALL ADHERE TO LAYOUT AND INTERIOR LANDSCAPING REQUIREMENTS PER THE ZONING CODE
9. PARKING SHALL BE CLEARLY LABELED AS SHORT TERM PARKING AND CANNOT BE CONSIDERED REQUIRED PARKING FOR ANOTHER USE
10. WHEEL STOPS OR CURBING SHALL BE PROVIDED FOR ALL PARKING STALLS
11. ADEQUATE LIGHTING SHALL BE PROVIDED.
12. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

MAIL CLUSTER BOX UNITS

(NTS)

DATE
6/9/2022

MD-03

LETTER SIZE	DISTANCE FROM THE PUBLIC WAY
4"	115'
6"	150'
9"	300'
12"	400'
18"	560'
24"	750'
36"	1130'

NOTES:

1. PROPERTY ADDRESS SHALL BE ISSUED BY THE ENGINEERING DEPARTMENT AT THE TIME THE BUILDING PERMIT IS ISSUED.
2. NEW AND EXISTING BUILDINGS SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS, OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE ARABIC NUMERALS OR ALPHABET LETTERS. NUMBERS SHALL BE A MINIMUM OF 4 INCHES (102 M) HIGH WITH A MINIMUM STROKE WIDTH OF 0.5 INCH (12.7MM).
3. ALL COMMERCIAL STRUCTURES SHALL BE ADDRESSED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE THAT IS ADOPTED BY THE CITY OF COLUMBIA.
4. ALL RESIDENTIAL STRUCTURES SHALL HAVE THE PROPERTY ADDRESS POSTED ON THE STRUCTURE AND BOTH SIDES OF THE MAIL BOX IF IT EXISTS.
5. UNDER EXTENUATING CIRCUMSTANCES THE CITY OF COLUMBIA MAY ALTER/CHANGE EXISTING ADDRESSES IN ORDER TO ENSURE THE SAFETY AND WELL BEING OF THE CITIZENS OF COLUMBIA.



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

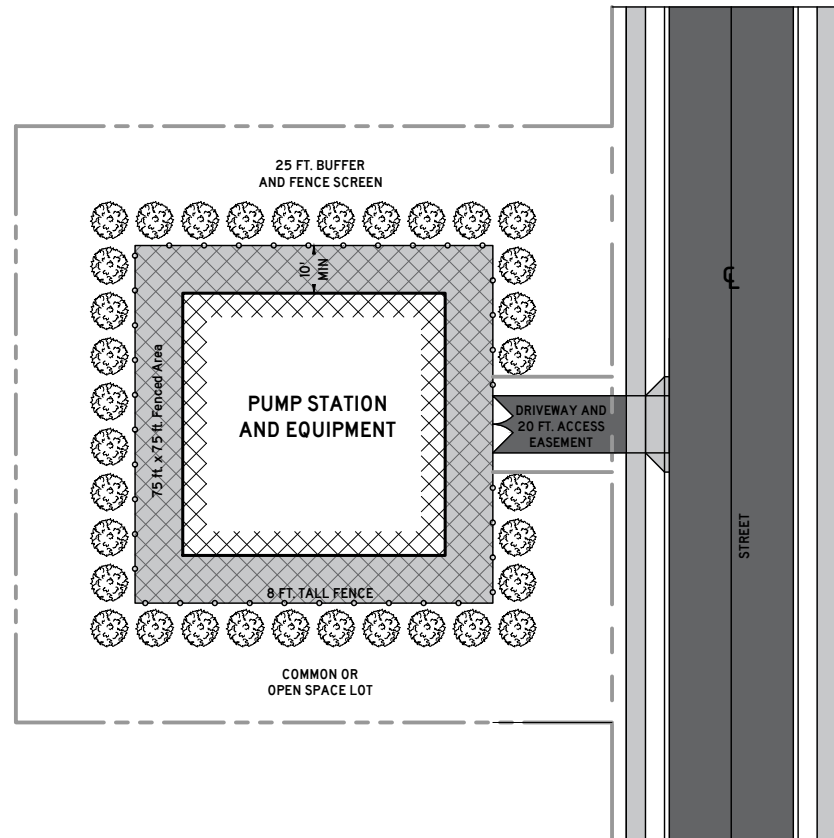
STANDARD DETAILS

PROPERTY ADDRESSES

(NTS)

DATE
6/9/2022

MD-04



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

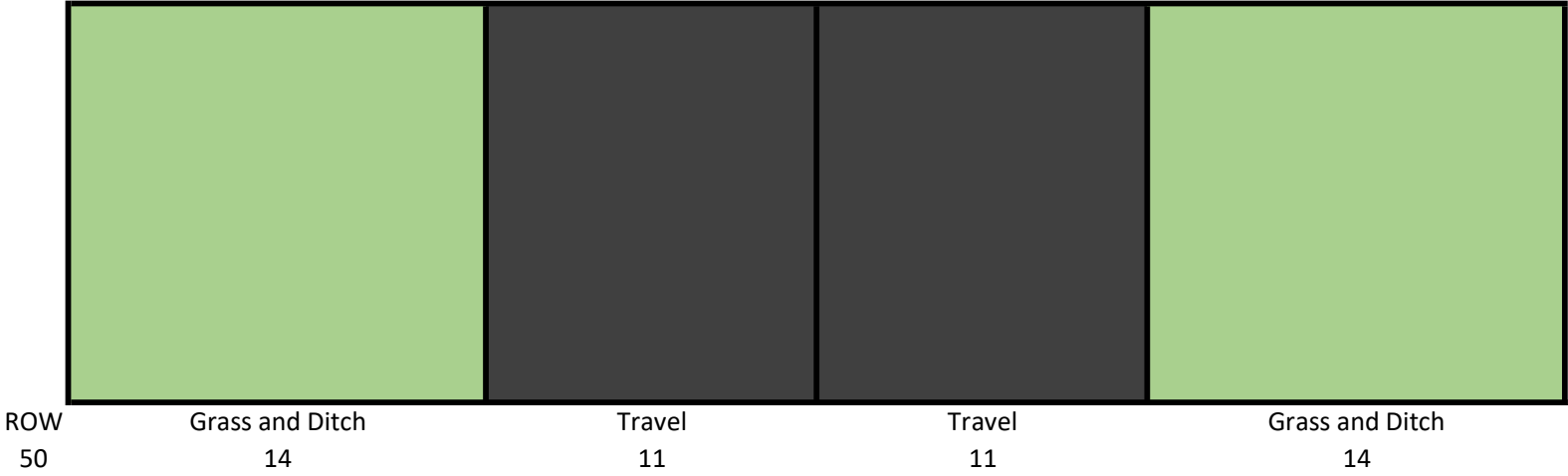
PUMP STATION

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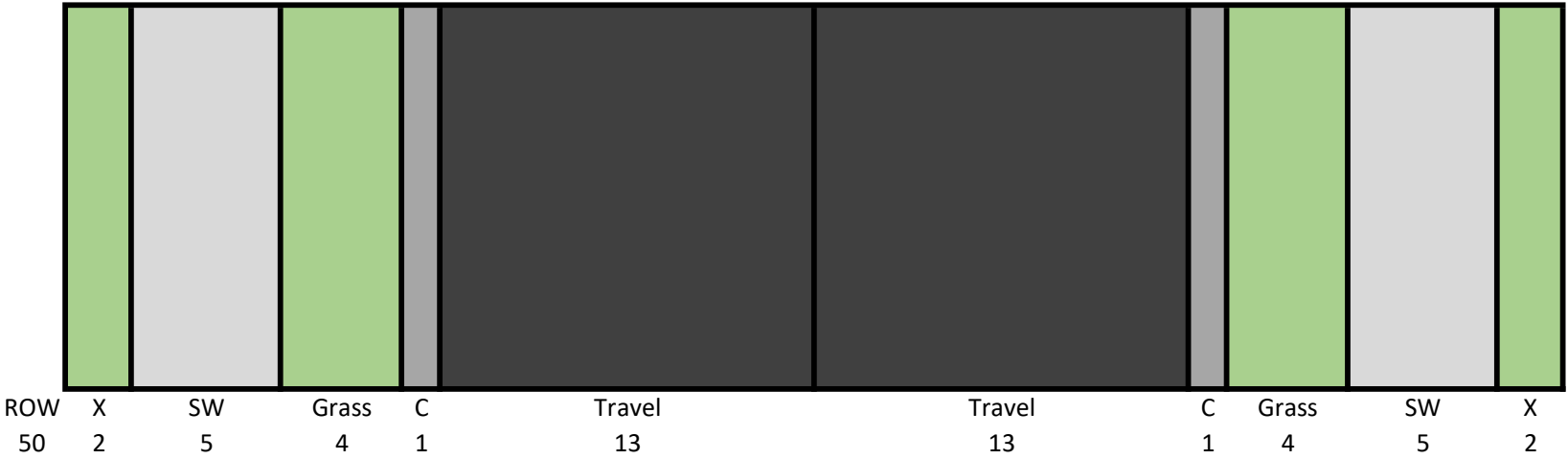
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2/24/2023

MD-05

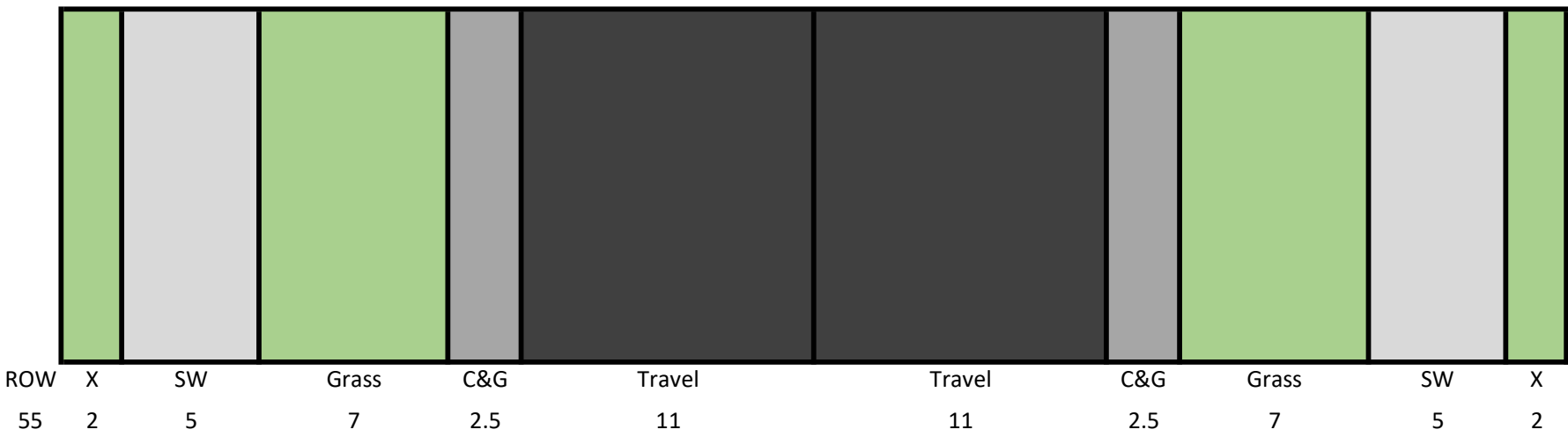
CD-2



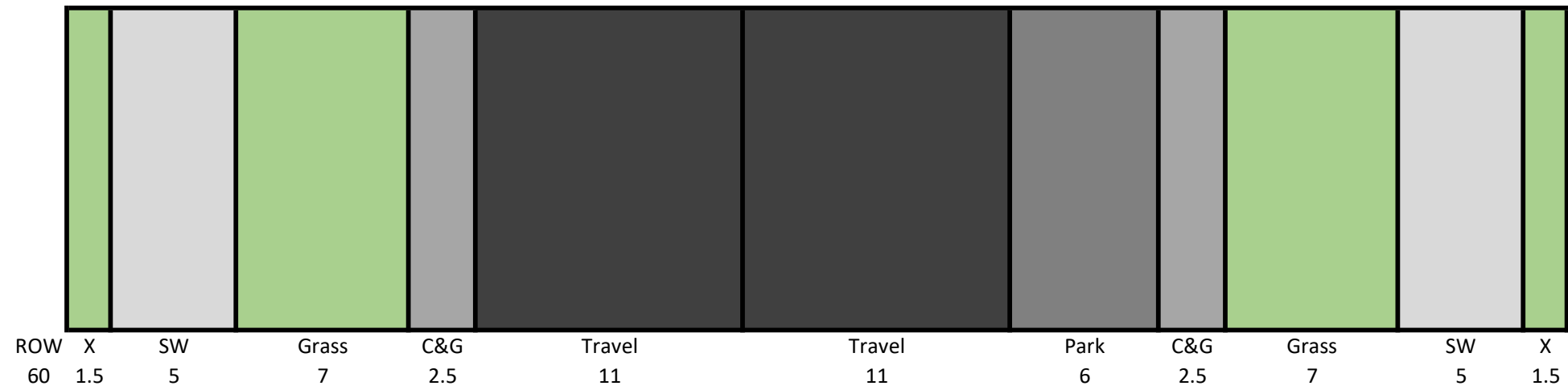
CD-3L



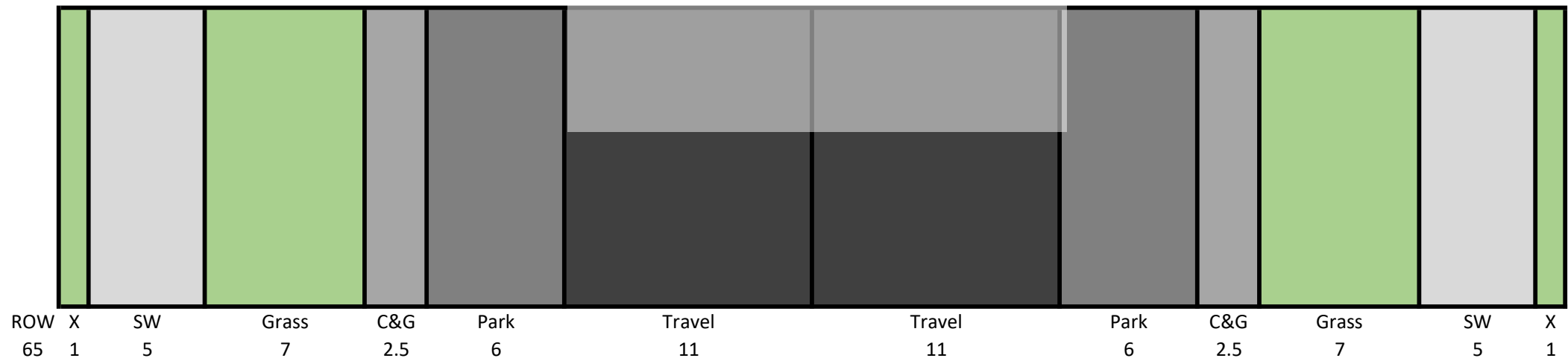
CD-3, SD-MHP
No Parking



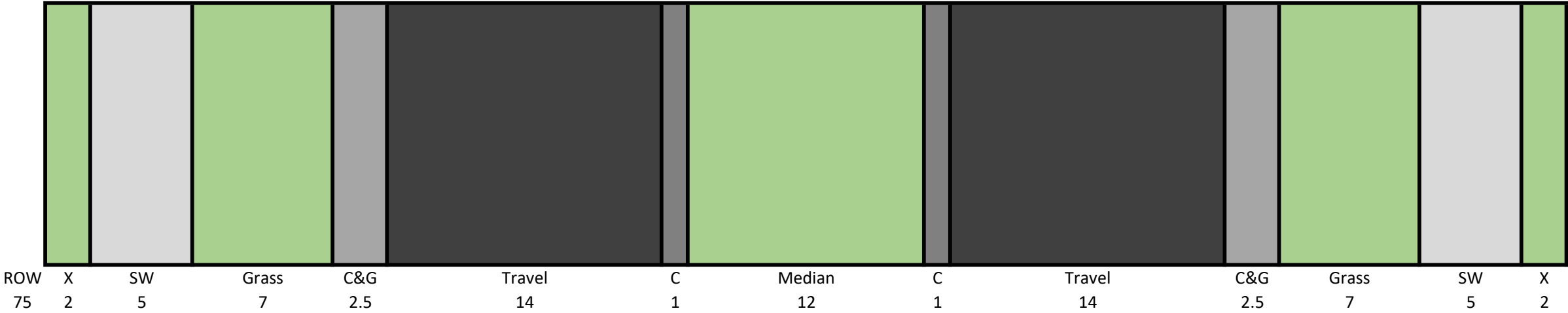
CD-3, SD-MHP
Parking One Side



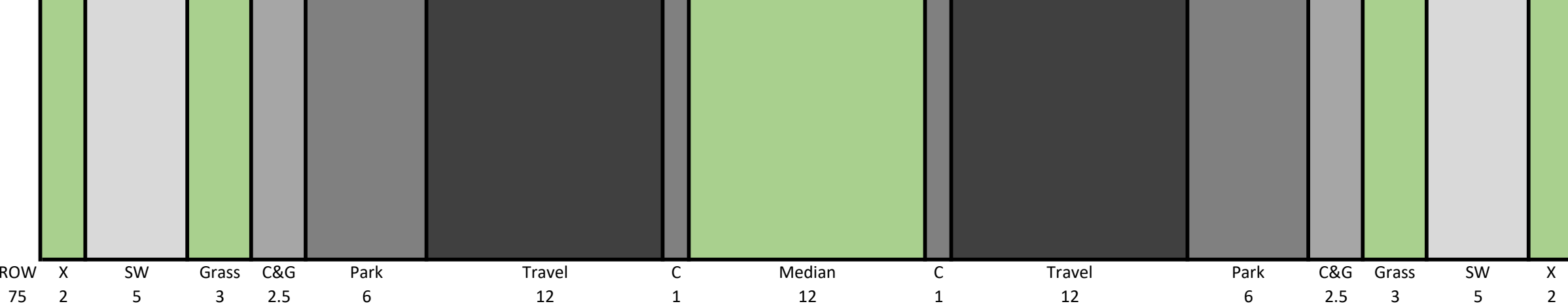
CD-3, SD-MHP
Parking Both Sides



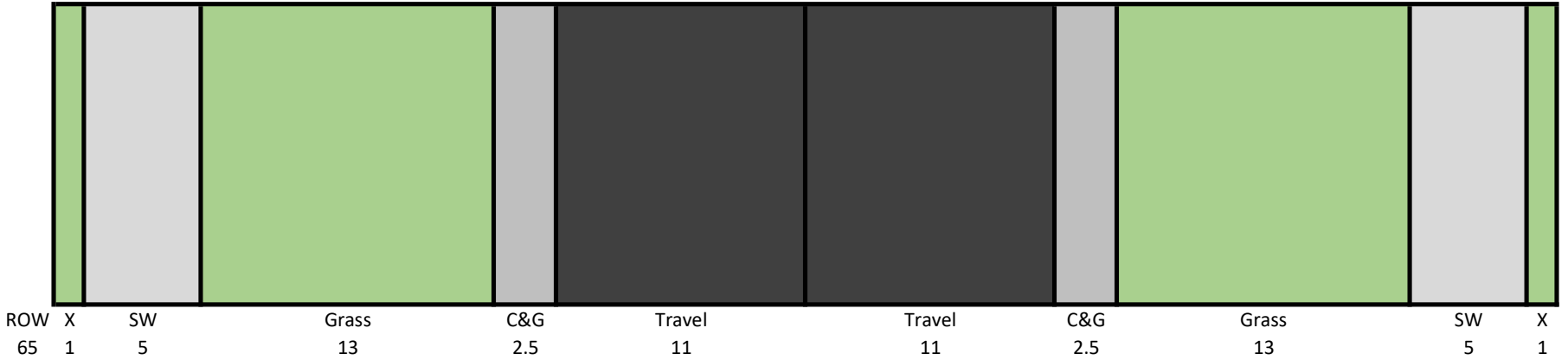
CD-3, SD-MHP
Boulevard
No Parking



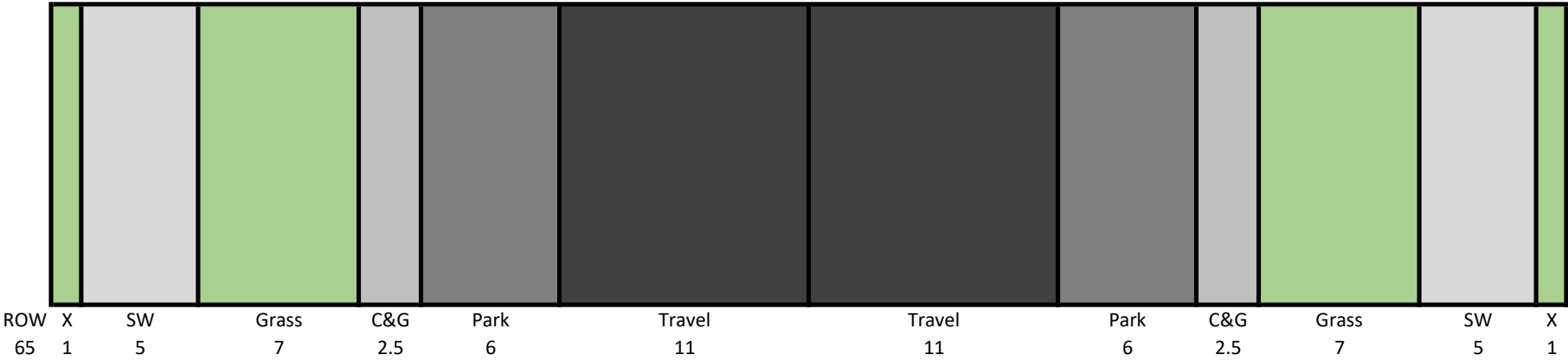
CD-3, SD-MHP
Boulevard
With Parking



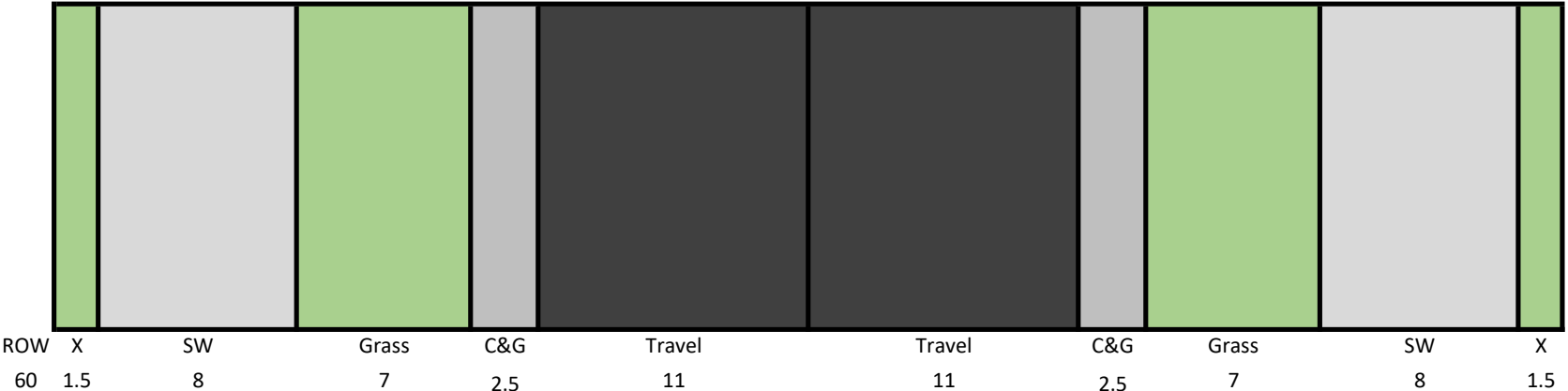
CD-4, PUD-R
No Parking



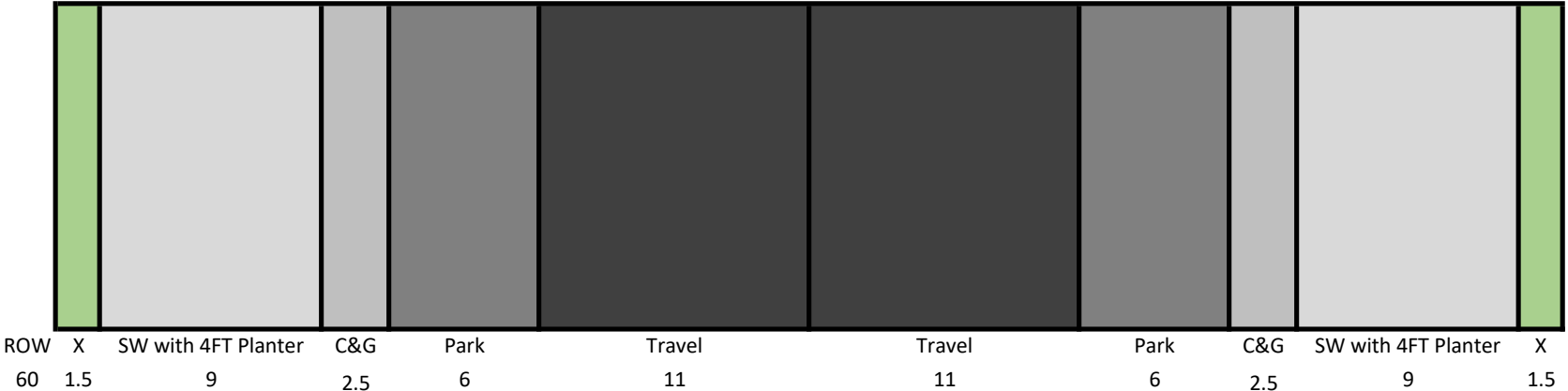
CD-4, PUD-R
With Parking



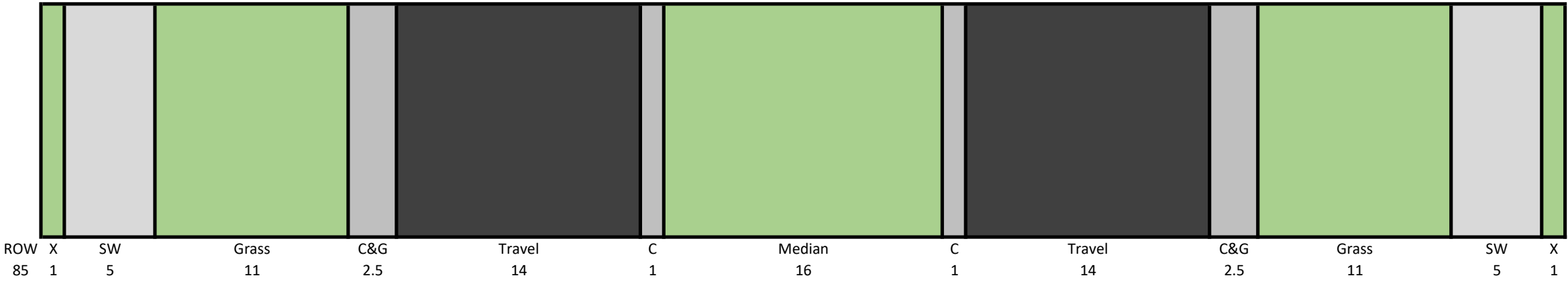
CD-4C, PUD-MU, SD-INT
No Parking



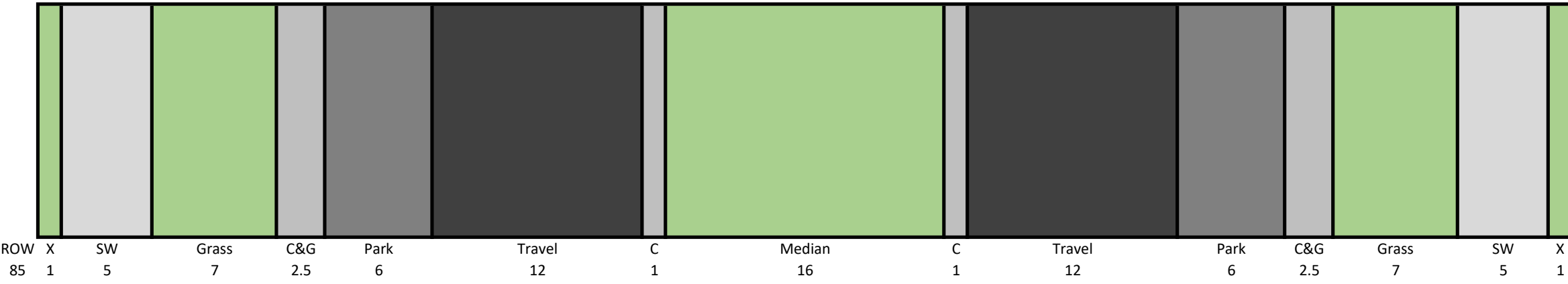
CD-4C, PUD-MU, SD-INT
With Parking



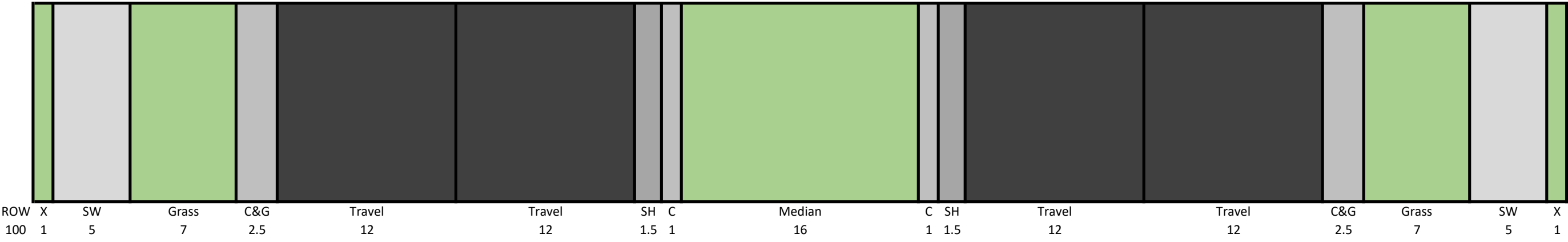
CD-4, PUD-R
CD-4C, PUD-MU, SD-INT
Boulevard
No Parking



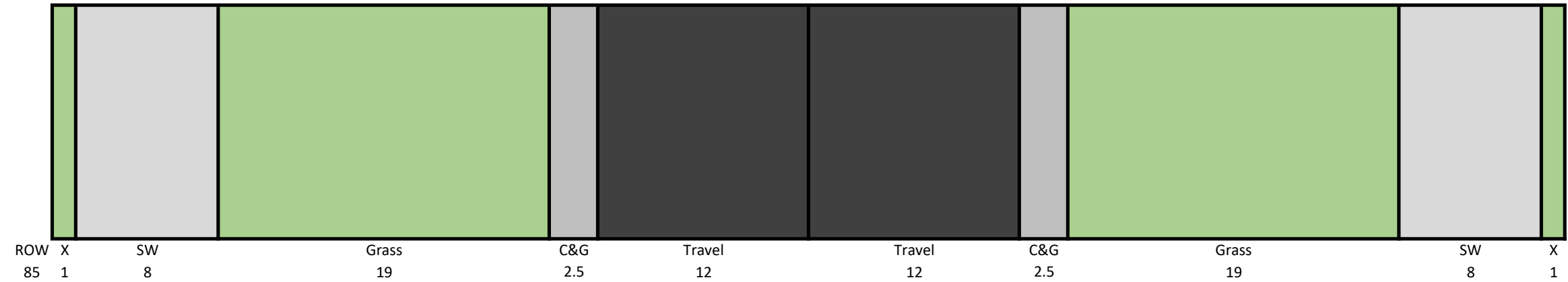
CD-4, PUD-R
CD-4C, PUD-MU, SD-INT
Boulevard
No Parking



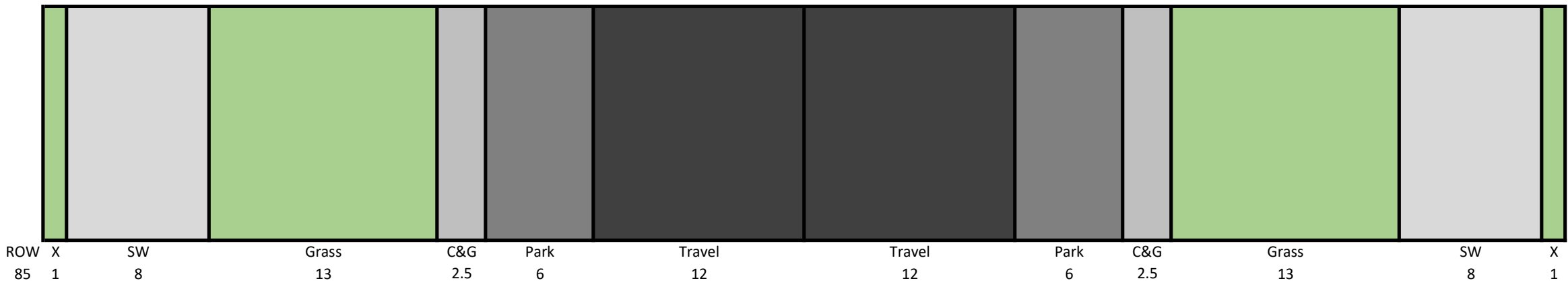
CD-4, PUD-R
CD-4C, PUD-MU, SD-INT
4 Lane Boulevard
No Parking



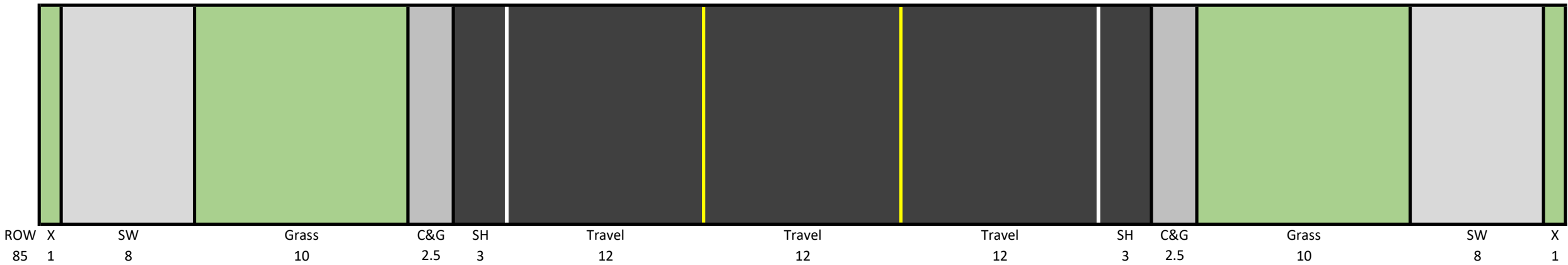
CD-4C, PUD-MU, SD-INT
Avenue
No Parking



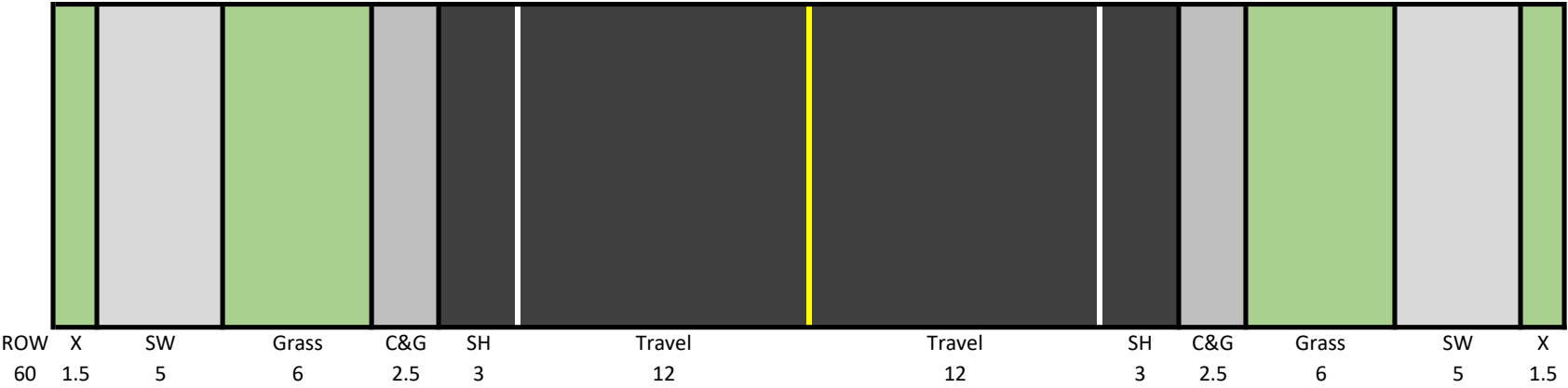
CD-4C, PUD-MU, SD-INT
Avenue
With Parking



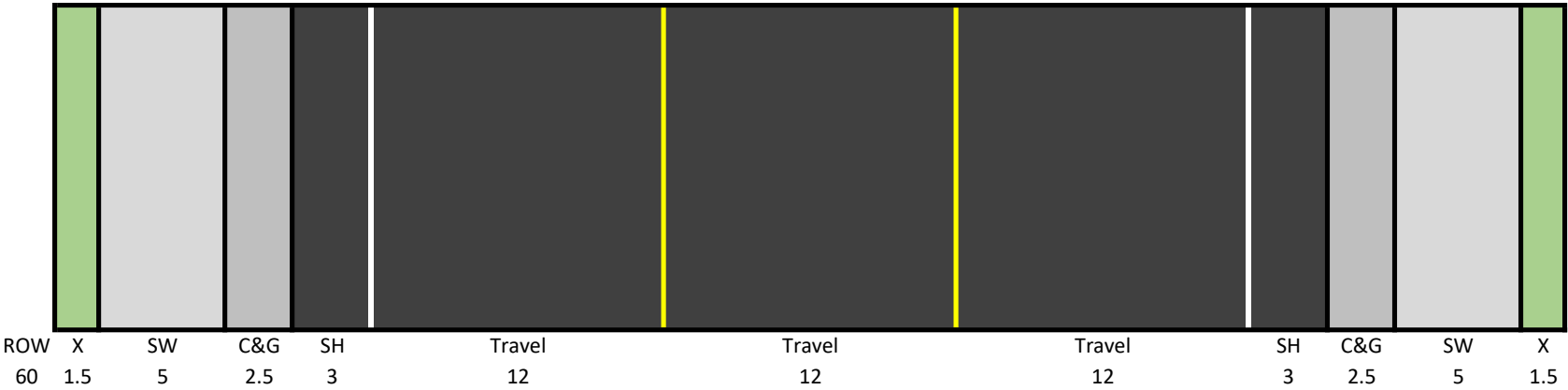
CD-4C, PUD-MU, SD-INT
3 Lane Avenue
No Parking



SD-LI, SD-HI
2 Lane
No Parking



SD-LI, SD-HI
3 Lane
No Parking



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.](#)

Commented [DT1]: Housekeeping and clarifying requirements for Construction Plans

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.~~
- ~~I. H. Street designs with connective and looping streets are preferred instead of the use of cul-de-sacs. Cul-de-sacs shall be prohibited unless be permitted where 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.

Commented [DT2]: Adjust to be consistent with Zoning Ordinance language

Commented [DT3]:
Reference Zoning Ordinance for new requirement of Boulevards and Avenues in Article 5

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.~~

Commented [DT4]: Normally, where streets intersect the ROW lines are curved at the intersection. This isn’t feasible where setbacks are low, such as CD-4, CD-4C, CD-5 etc.

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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.

Commented [DT5]: Sets minimum size for easements, with larger easements required for deeper utilities.

Commented [DT6]: Increased easement width for larger storm pipes.

Commented [DT7]: Prohibits certain activities within easements.

Commented [DT8]: ROW is not owned in a fee-simple manner in the City

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, 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. -

Commented [DT9]: Housekeeping

Commented [DT10]: Clarifies which type of Development requires ROW dedication. Minor subdivisions are only required to reserve ROW.

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 compliant 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.
- ~~A.~~H. Encroachments shall not block Fire Department connections, fire hydrants, access, or pathways.

Commented [DT11]: Specifies and prohibits which encroachments into ROW or easements, generally large permanent structures that would require a building permit are prohibited or things that may adversely affect the public nature and function.

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	7050
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.

Formatted Table

Commented [DT12]: Adjust alley centerline curvature from 70 ft. to 50 ft. Change is consistent with AASHTO standards and similar cities in the area.

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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.~~

Commented [DT13]: Intersections should align more perpendicularly with arterial roadways.

Commented [DT14]: Duplicate item

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**.

Commented [DT15]: Specifies how to measure approach grades

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.

Commented [DT16]: References TDOT provisions

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.

Commented [DT17]: Adds standards for when railing is required along sidewalks.

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

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

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

~~D-G.~~ 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.~~ H. No commercial driveway shall be greater than ten (10) percent grade along any portion.

~~F-I.~~ 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.~~ 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.

Commented [DT18]: Specifies minimum dimensions for one and two way driveways.

Commented [DT19]: This provision produced conflicts with the Zoning Ordinance.

Commented [DT20]: Specifies material types for driveway aprons and minimum apron size with gravel driveways.

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

3.22.1 Unimproved Rights-of-Way

Where a lot/building site's parcel ~~primary access is accessed b~~ is through y an existing unimproved ~~right-of-way~~ right-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 a~~ 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 ~~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's parcel's primary access is accessed by an ~~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 ~~and the City Engineer~~ to the furthest extent of the lot/building site ~~their property~~ or a point determined by the ~~City Engineer~~ CMPC. The roadway dedication shall follow the requirements of the Subdivision Regulations.

Commented [DT21]: Housekeeping of terms to be consistent with the Zoning Ordinance

Commented [DT22]: Lessens some requirements for improvement of roadways for existing lots and infill type development.

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.

Commented [DT23]: Generally, technical portions of the Stormwater Ordinance are incorporated herein.

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.

Commented [DT24]: Previously Section 4.3

Commented [DT25]: Allows for smaller sized pipes for yard drainage systems, which are preferred in many cases, especially dense development styles.

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.

Commented [DT26]: Specifies the standards for analysis of drainage and storm conveyance systems.

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.
- 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.

4.3 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.

Commented [DT27]: Clarification of some verbiage.

4.97 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.

Commented [DT28]: Sets a maximum to prevent a potential loophole in buffer averaging.

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 buffers ~~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~~ 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.
- ~~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 ~~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.

Commented [DT29]: Moved to 4.7.6

Commented [DT30]: Sets standard to the reforestation of inadequate Aquatic Buffers for sites requiring a Land Disturbance Permit.

- 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.
- 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.

Commented [DT31]: Large slopes require special designs

Commented [DT32]: Adds a buffer area for slopes over a certain size, where adjacent to adjoining properties outside the development to allow for proper construction, maintenance, and reduced potential for adverse impacts to adjoining property owners.

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.

Commented [DT33]: Changes language to be more clear on the requirements. Previously adopted standards remain largely unchanged.

Commented [DT34]: Adds a provision for waiver

Commented [DT35]: Clarification of existing requirement

Commented [DT36]: Clarification of existing requirement.

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.

Commented [DT37]: Ensures developers appreciably follow the grading plans throughout construction.

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.

Commented [DT38]: Provides language to allow for greater discretion in determination of sinkholes and the potential for hazard.

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.

Commented [DT39]: Added from the Stormwater Ordinance

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 ing 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 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.

Commented [DT40]: Similar requirement to previous with more specific criteria.

5.11 Parking

- A. Parking shall conform to the Zoning Ordinance.
- B. Parking aisles shall have ~~a~~ 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.
- ~~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. -

Commented [DT41]:

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.

Commented [DT42]: Most standards, unless listed below are currently enforced provisions.

Commented [DT43]: Sets maximum height for retaining walls, with provisions to terrace walls.

Commented [DT44]: Sets maximum height for retaining walls, with provisions to terrace walls. Adds waiver provisions.

Commented [DT45]: Certain types of retaining walls can adversely impact the installation or maintenance of infrastructure.

Commented [DT46]: Prevents encroachment and potential impact to the ROW

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.

Commented [DT47]: Prevents potential adverse impacts to adjoining property owners.

Commented [DT48]: Failure of retaining walls should not have any potential adverse impact to structures.

Commented [DT49]: Failure of this type of facility would present a large hazard to downstream property.

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

Commented [DT50]: Creates lot development standards for Pump Stations.

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.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: PUBLIC HEARING ON ORDINANCE NO. 4521 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING ZONING MAP IN ARTICLE 2 BY REPEALING SUCH ARTICLE AND REPLACING SUCH ARTICLE 2 WITH A NEW ARTICLE 2, ZONING MAP

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 2: Zoning Map, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero. The required notice of Public Hearing was advertised on July 24, 2024 in The Daily Herald.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance No. 4521, Exhibit A, Marked Changes "A".

**AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING
THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE
REGARDING ZONING MAP IN ARTICLE 2 BY REPEALING SUCH ARTICLE
AND REPLACING SUCH ARTICLE 2 WITH A NEW ARTICLE 2, ZONING
MAP**

WHEREAS, Section §13-7-201 of the Tennessee Code Annotated empowers the city to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals and general welfare of the city to enact such an ordinance; and

WHEREAS, the City Council, pursuant to the provisions of Section §13-4-101 of the Tennessee Code Annotated has appointed a Planning Commission to recommend the appropriate regulations to be enforced therein; and

WHEREAS, on the 5th day of June 2024, the Planning Commission reviewed and recommended specific changes in accordance to Section 8.5.18, to the Zoning Ordinance regarding Definitions in Article 2. As a result, Article 2 is being repealed in its entirety and replaced with a new Article 2 which is attached hereto as Exhibit "A" and incorporated herein. Said recommendations are being considered after a public hearing held on the 8th day of August, 2024, notice of which was published in the Daily Herald of Columbia fifteen (15) days or more prior to said meeting.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That Ordinance Number 4400, the same being the Zoning Ordinance of the City of Columbia, Tennessee is hereby amended by repealing and deleting Article 2 in its entirety and replacing such Article with a new Article 2, Zoning Map, which is attached hereto as Exhibit "A" and incorporated herein by reference;

Section 2: That the City Council satisfies the requirements of Section 8.5.18.J.4, by making specific findings as to the following:

- 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.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this the 12th day of September, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY – CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration: _____

ARTICLE 2: ZONING MAP

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 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, 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 right-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.

ARTICLE 2: ZONING MAP

SECTION 2.1 ZONING MAP.

2.1.5 District Boundaries Continued.

E. Interpretation of District Boundaries.

When uncertainty exists as to the boundaries of Districts shown on the Official Zoning Map, the following shall apply:

1. Boundaries indicated as approximately following the center lines of alleys shall be construed to follow such center lines;
2. Boundaries indicated as approximately following platted lots 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 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 the 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 the 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 City standards and requirements for the applicable City District.

ARTICLE 2: ZONING MAP

SECTION 2.1 ZONING MAP.

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: "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 be 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.

ARTICLE 2: ZONING MAP

SECTION 2.2 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 2.3 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.

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)

~~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~~

Removes inappropriate language related to incorporation of standards into the Official Zoning Map

Article 2 Zoning Map Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

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,

Article 2 Zoning Map Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

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)

~~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~~

Removes language related to district assignments within development parcels that was not ultimately not adopted as part of the zoning ordinance.

Article 2 Zoning Map Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

~~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~~

Article 2 Zoning Map Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

~~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.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: PUBLIC HEARING ON ORDINANCE NO. 4522 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING DEFINITIONS IN ARTICLE 9 BY REPEALING SUCH ARTICLE AND REPLACING SUCH ARTICLE 9 WITH A NEW ARTICLE 9, DEFINITIONS

RECOMMENDATION: Conduct the Public Hearing.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 9: Definitions, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero. The required notice of Public Hearing was advertised on July 24, 2024 in The Daily Herald.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance 4522, Exhibit A, Marked Changes.

**AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING
THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE
REGARDING DEFINITIONS IN ARTICLE 9 BY REPEALING SUCH ARTICLE
AND REPLACING SUCH ARTICLE 9 WITH A NEW ARTICLE 9,
DEFINITIONS**

WHEREAS, Section §13-7-201 of the Tennessee Code Annotated empowers the city to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals and general welfare of the city to enact such an ordinance; and

WHEREAS, the City Council, pursuant to the provisions of Section §13-4-101 of the Tennessee Code Annotated has appointed a Planning Commission to recommend the appropriate regulations to be enforced therein; and

WHEREAS, on the 5th day of June 2024, the Planning Commission reviewed and recommended specific changes in accordance to Section 8.5.18, to the Zoning Ordinance regarding Definitions in Article 9. As a result, Article 9 is being repealed in its entirety and replaced with a new Article 9 which is attached hereto as Exhibit "A" and incorporated herein. Said recommendations are being considered after a public hearing held on the 8th day of August, 2024, notice of which was published in the Daily Herald of Columbia fifteen (15) days or more prior to said meeting.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That Ordinance Number 4400, the same being the Zoning Ordinance of the City of Columbia, Tennessee is hereby amended by repealing and deleting Article 9 in its entirety and replacing such Article with a new Article 9, Definitions, which is attached hereto as Exhibit "A" and incorporated herein by reference;

Section 2: That the City Council satisfies the requirements of Section 8.5.18.J.4, by making specific findings as to the following:

- 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.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
COLUMBIA, TENNESSEE, this the 12th day of September, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY – CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration: _____

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.

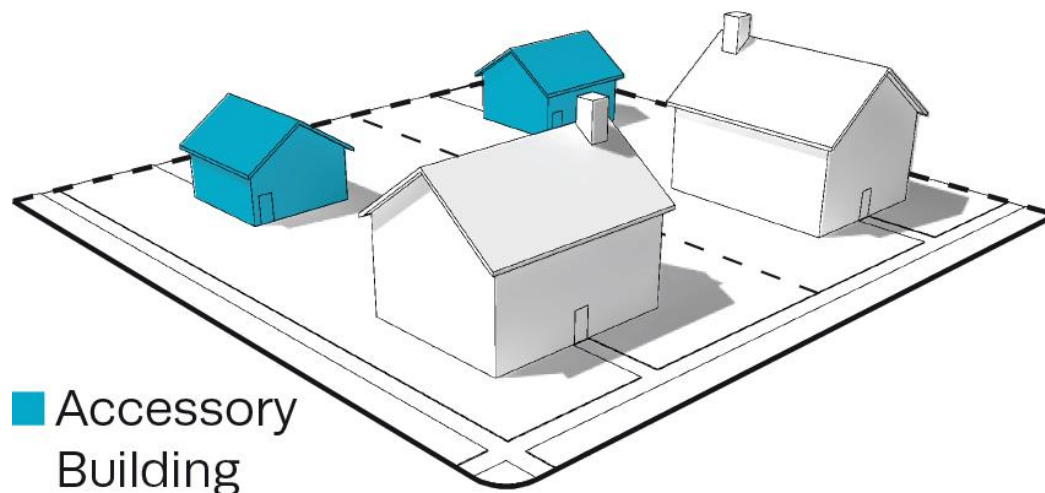
For purposes of this Ordinance, the following terms shall have the meanings set forth below unless the context clearly indicates or requires a different meaning:

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.

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.

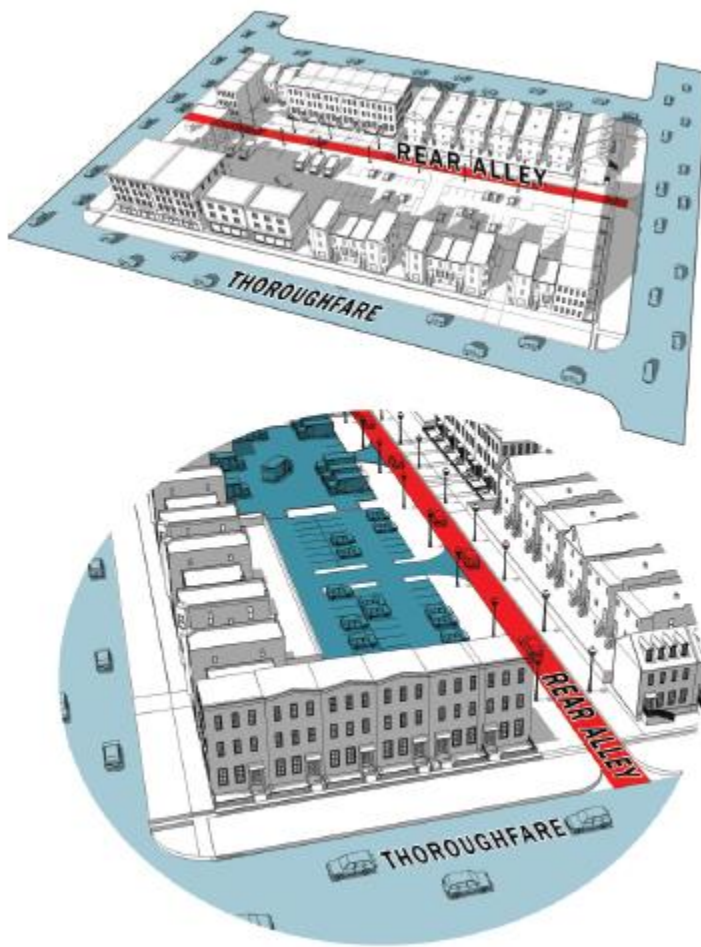
Agricultural and Extractive Uses: (1) collectively, Agricultural Uses and Extractive Uses; (2) a collective reference to Uses in the following sub- Categories: Agricultural Uses and Extractive Uses, as listed in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses) Table 4.3.9.A-2 (Building, 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.

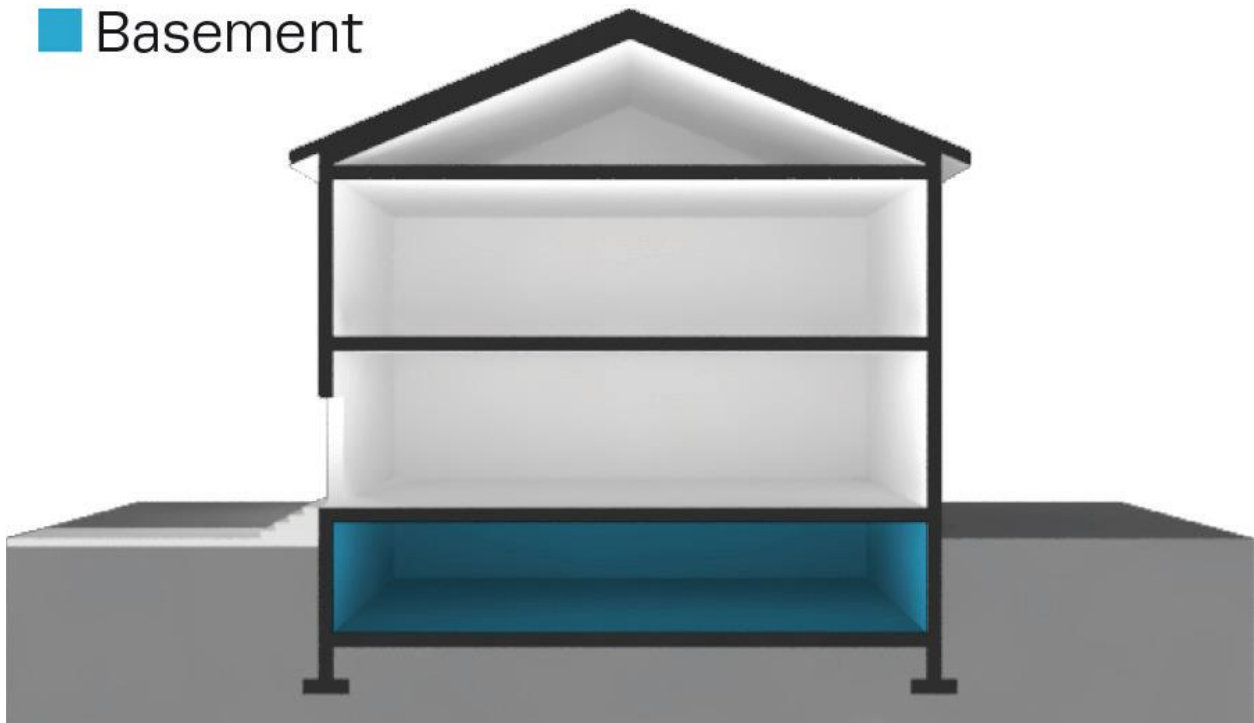


Base Flood Elevation: as defined in Section 6.12.2.

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

■ 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.

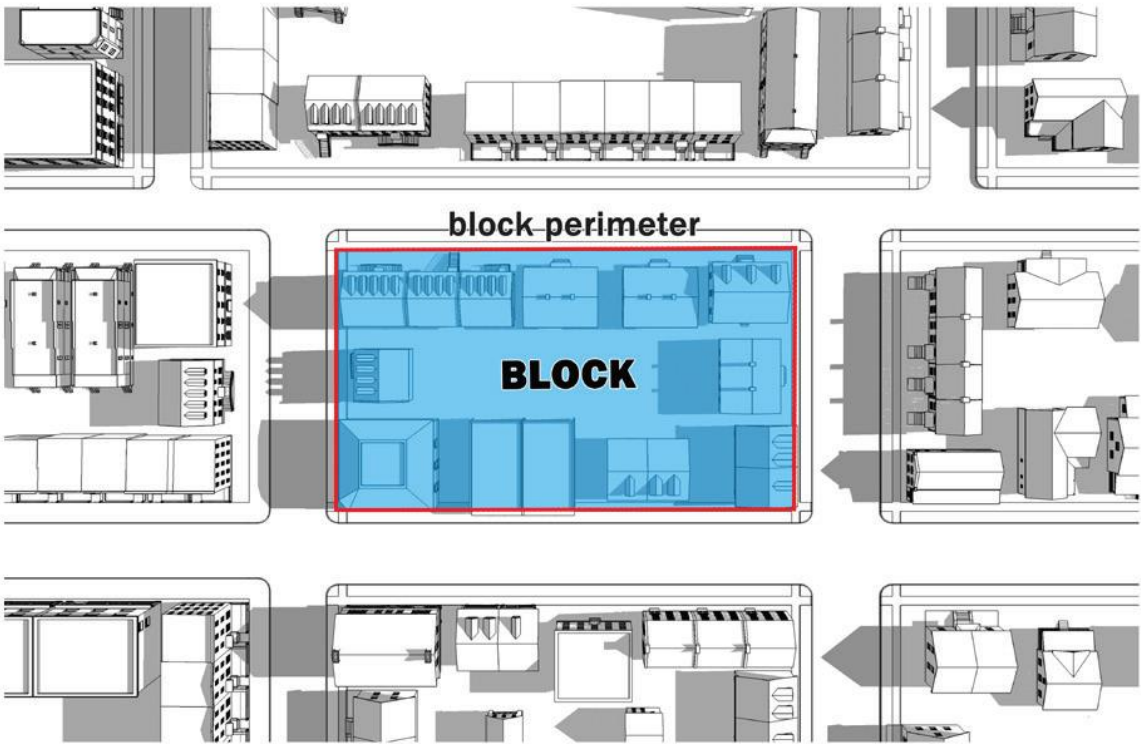
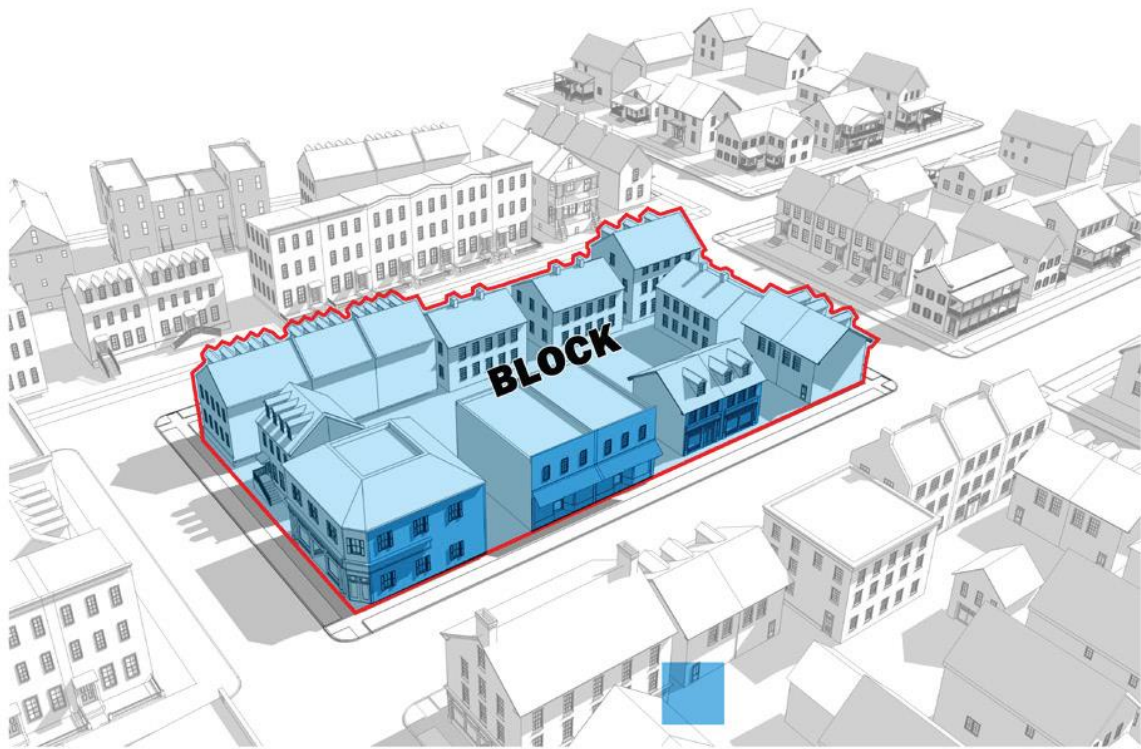
Bicycle Trail (BT): a bicycle way running independently of a vehicular Thoroughfare. See Table 5.2.4.B (Bikeway Types).

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 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.

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 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).

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

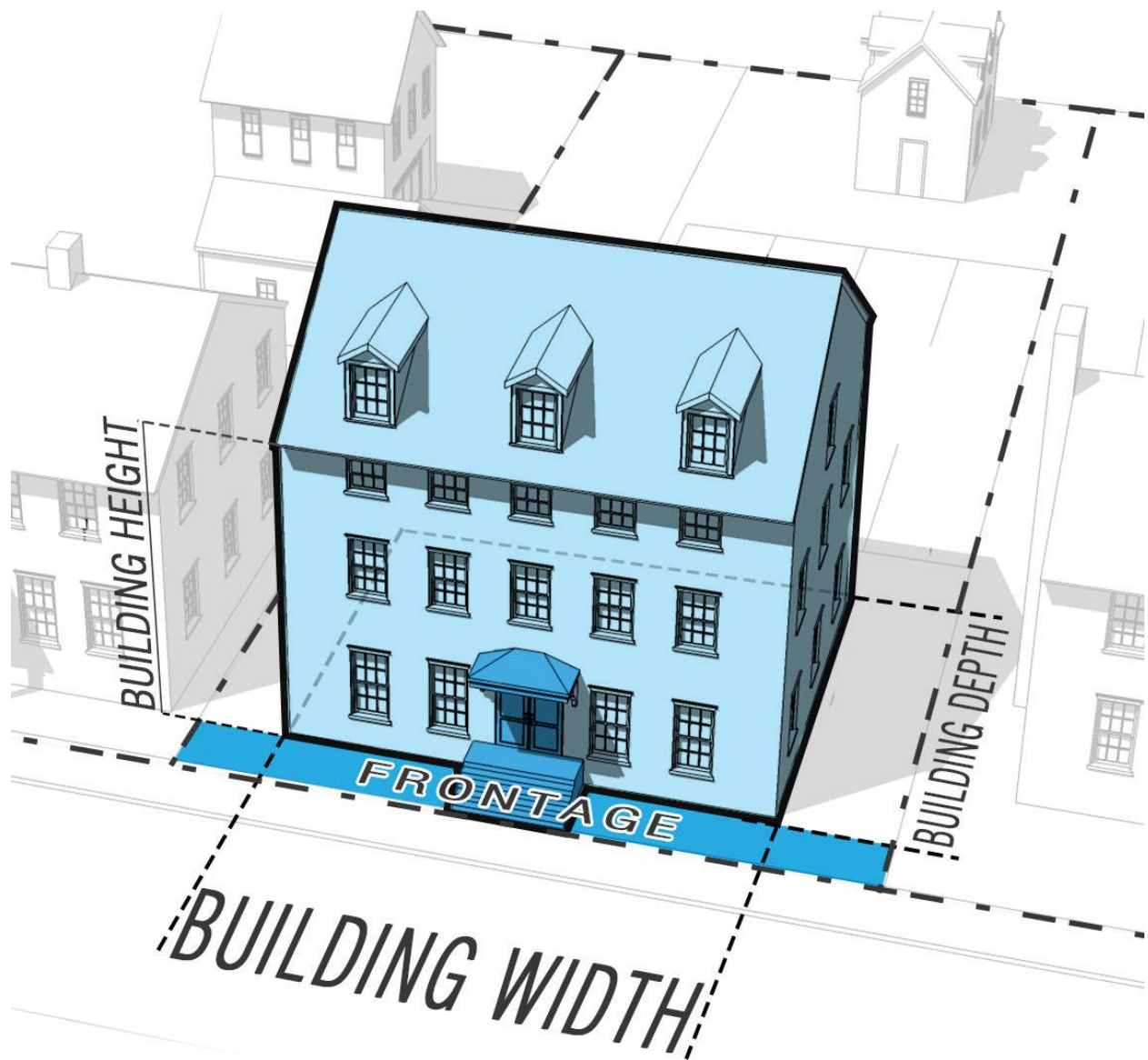
Board of Zoning Appeals. For purposes of the administration of this Ordinance, Conditional Uses shall be construed as synonymous with special exceptions, as controlled by TCA Section 13 – 7 – 206.

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.

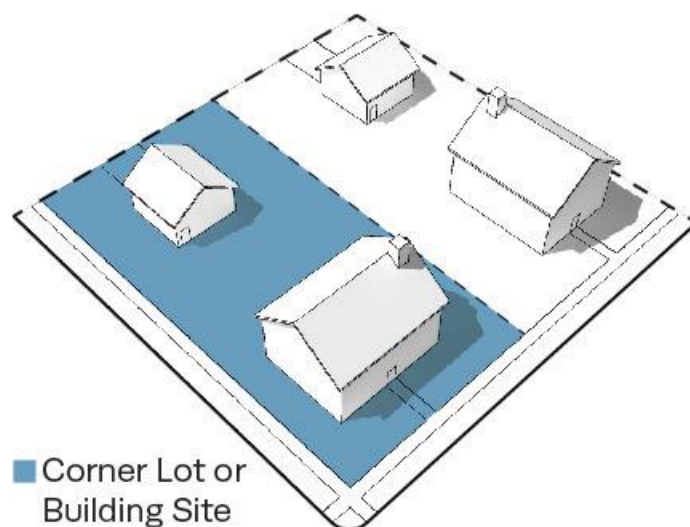
Continuum of Care Facility: a facility providing one or any combination of assisted living, nursing home, or skilled nursing for the elderly or other individuals incapacitated in some manner for medical reasons, as determined and licensed and/or certified by the Tennessee Department of Health, Board 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.

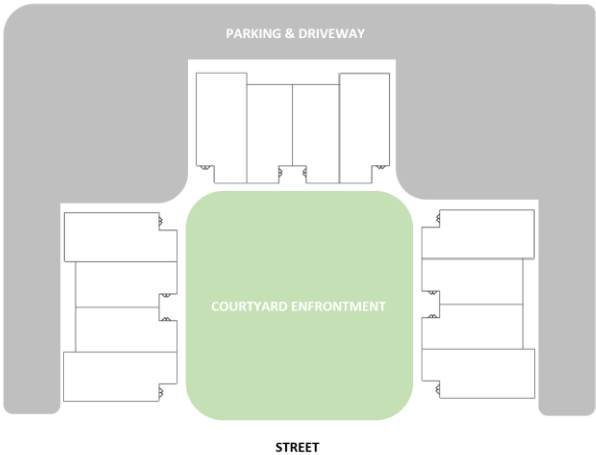
Cosmetic Reconditioning: incidental repair and refinishing of a vehicle, limited to plastic and trim parts, including bumpers, moldings, mirrors, headlight lenses, and the restoration of alloy wheels. Vehicle side panels may also be refinished when a bumper scrape carries onto a fender. Cosmetic Reconditioning 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.

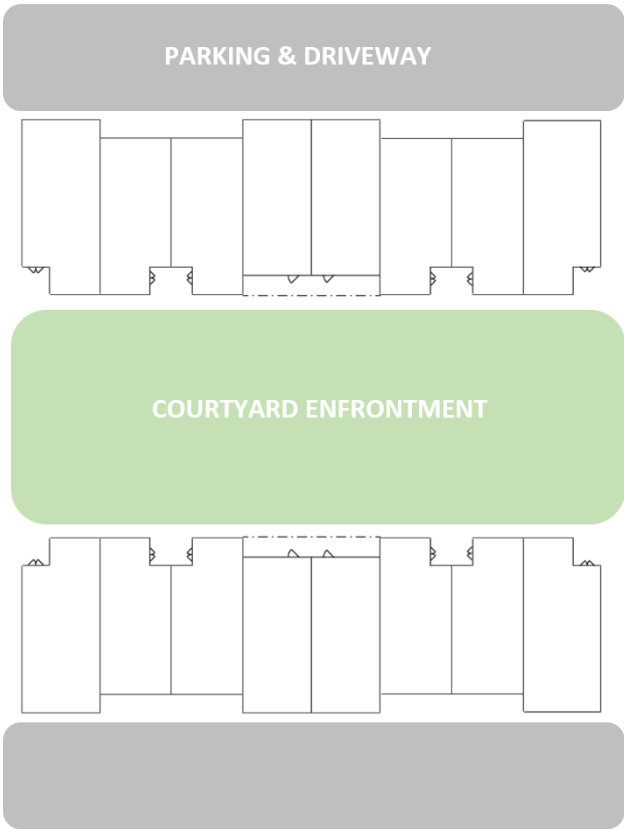
Counseling Service: an establishment providing counseling, guidance, or similar services to persons requiring rehabilitative or vocational assistance. This term includes job training and placement services.

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.

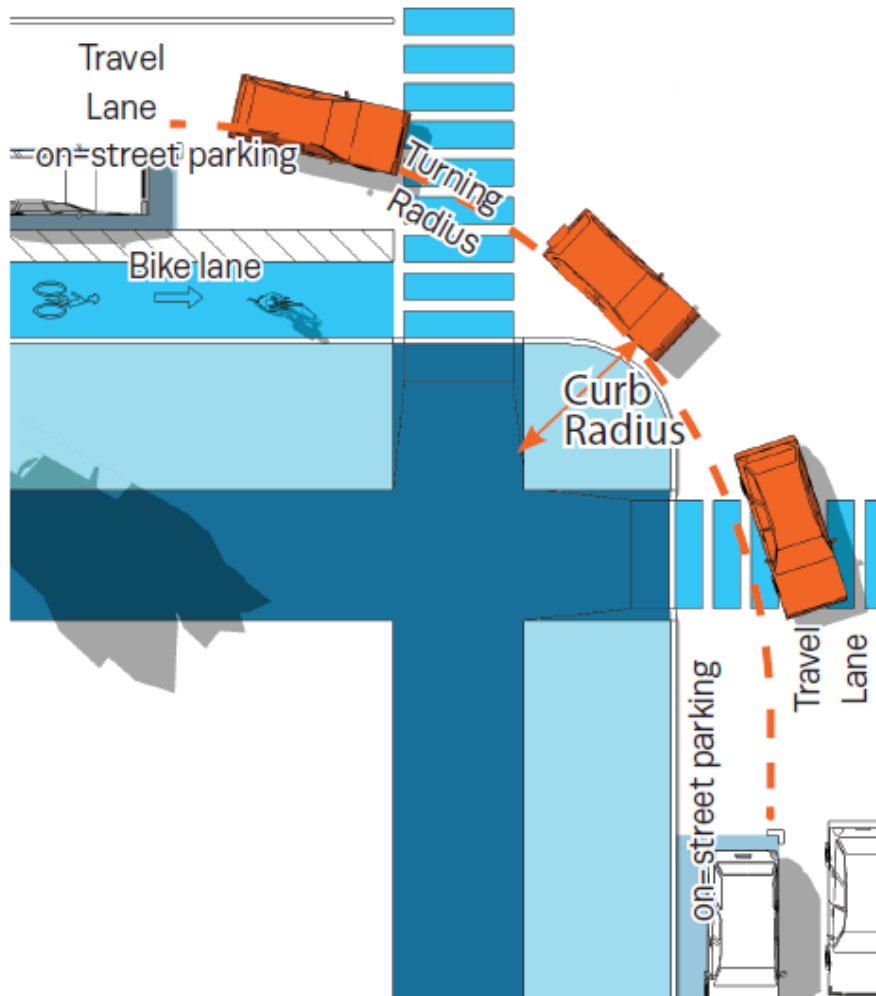
Critical Root Zone: with respect to a tree, a circular area measured outward from the tree trunk, representing the essential area of the roots that must be maintained for the tree’s survival. The Critical Root Zone is measured one foot of radial distance for every inch of tree at diameter at breast height, 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).

ILLUSTRATION 9.3.C-3 CURB RADIUS



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.

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, 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.

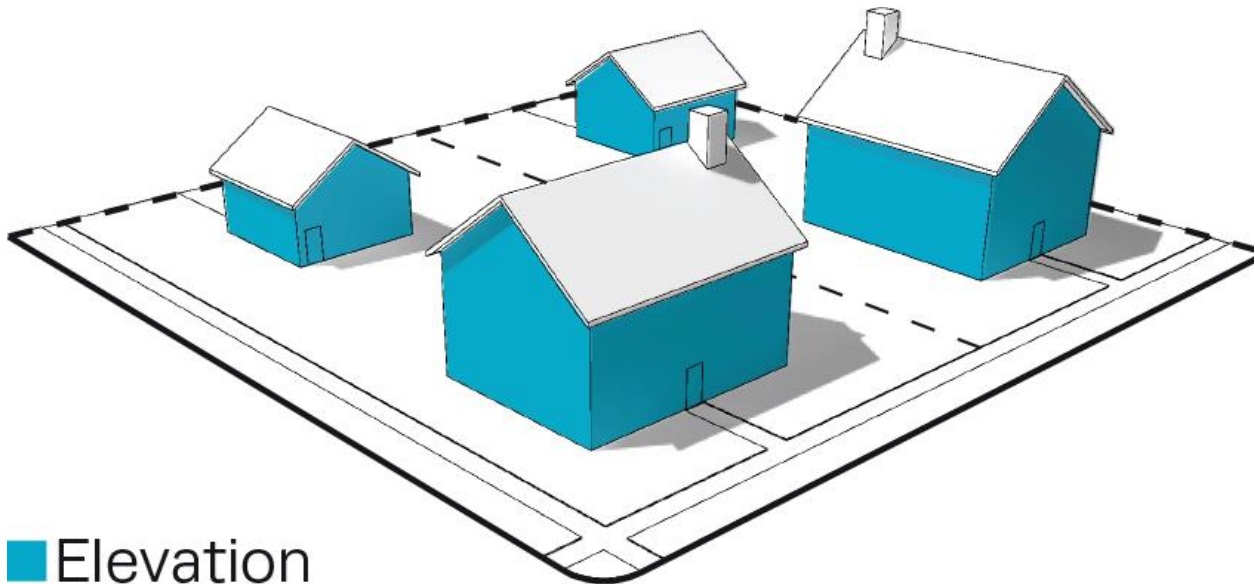
Effective Turning Radius: the measurement of the inside Turning Radius, taking parked cars into account.

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



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.

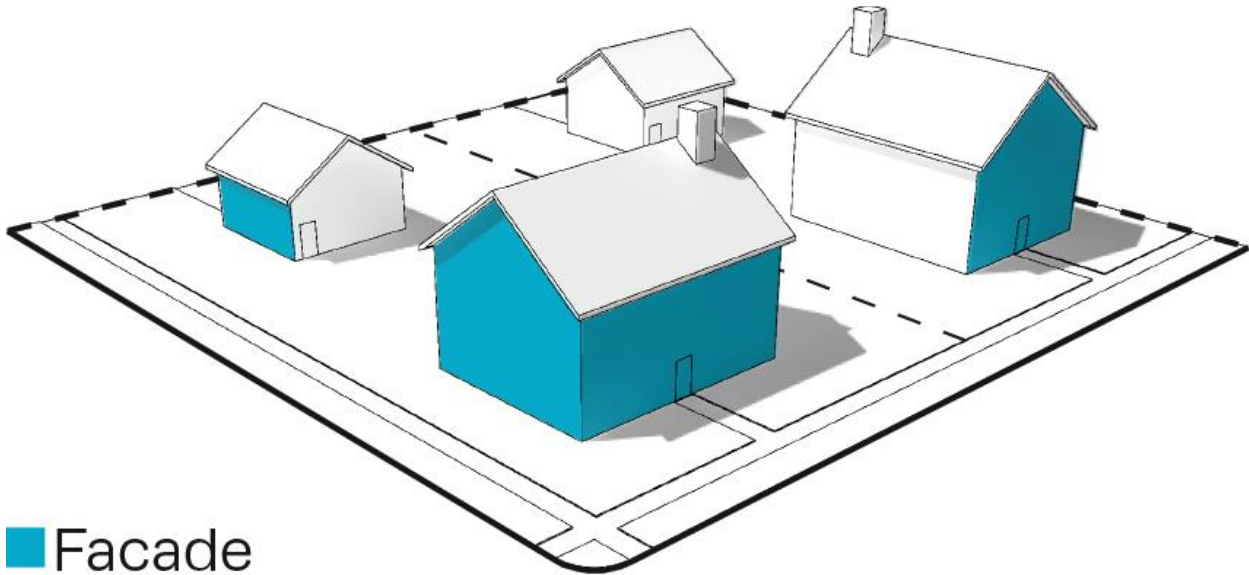
Exterior Architectural Appearance: the architectural character and general composition of the exterior of a Structure, including but not limited to the kind, color, and texture of the building materials and the type, design, and character of all windows, doors, light fixtures, Signs, and appurtenant 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 refractory 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



■ 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.

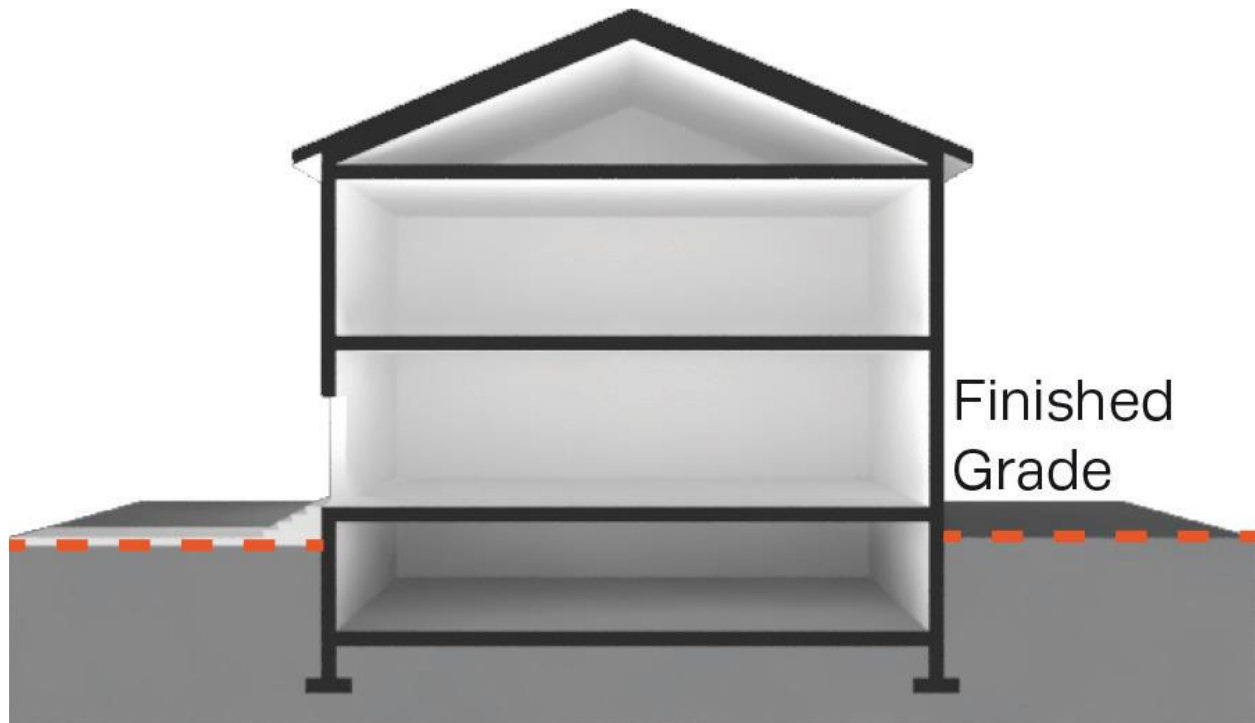
Final Plat: as defined in City Subdivision Regulation Section 2.3.

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:

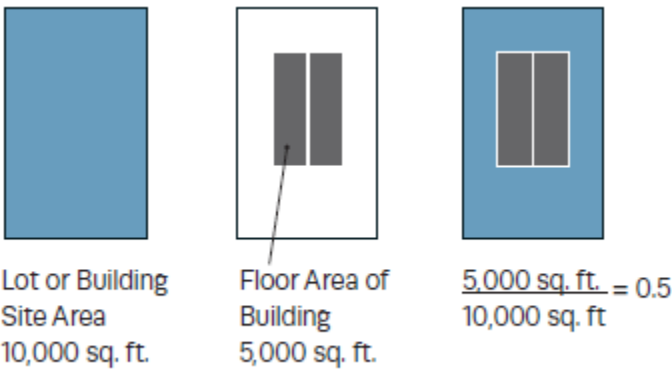
- (1) Areas used for off – street Parking spaces or loading berths and Driveways and maneuvering relating thereto where required by this Ordinance
- (2) In the case of Non-Residential facilities: arcades, porticoes, and similar open areas which are accessible to the general public, and which are not 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:

$$\frac{\text{Aggregate Floor Area}}{\text{Lot or Building Site Area}} = \text{Floor Area Ratio}$$

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.

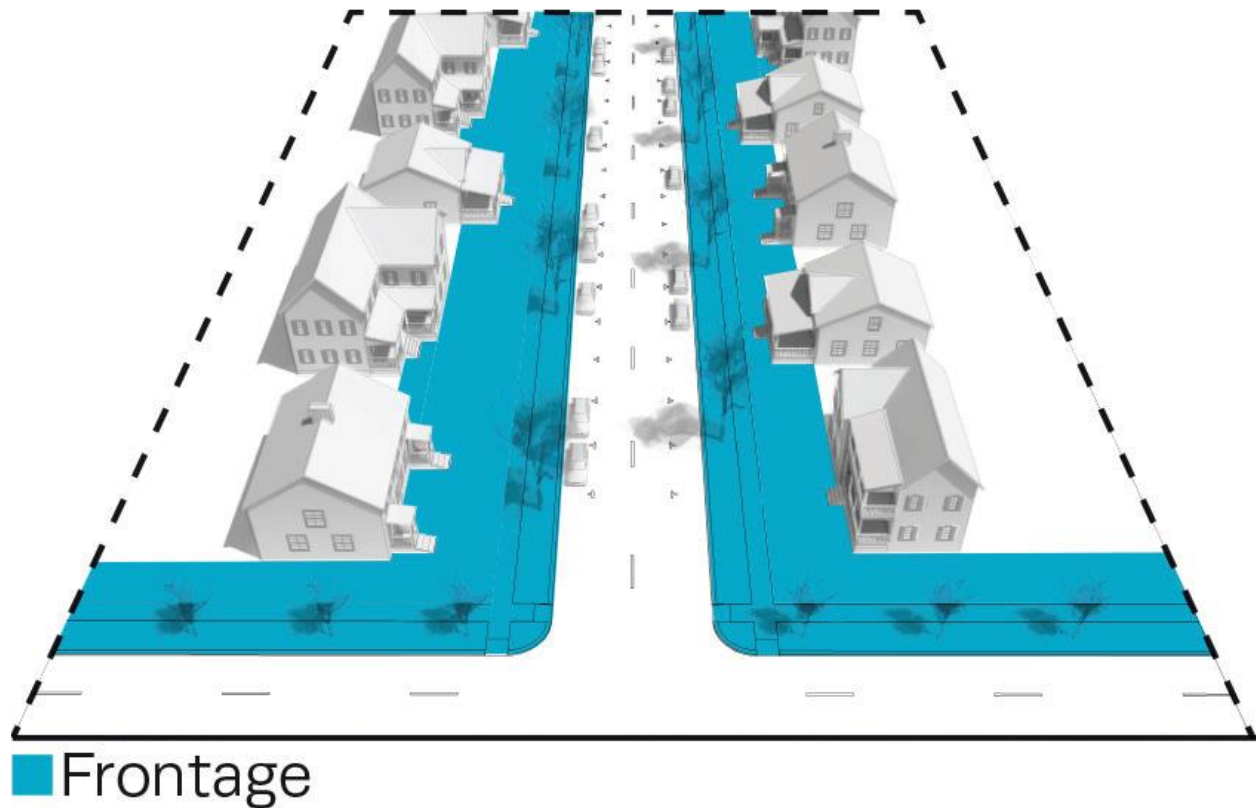
Food Truck Court: A parcel of land where two or more Mobile Vendors congregate to offer food and beverage for sale to the public as the principal use of the site, where permitted by Table 4.3.9.A-1. This definition shall not be interpreted to include a congregation of mobile food vendors as an accessory 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

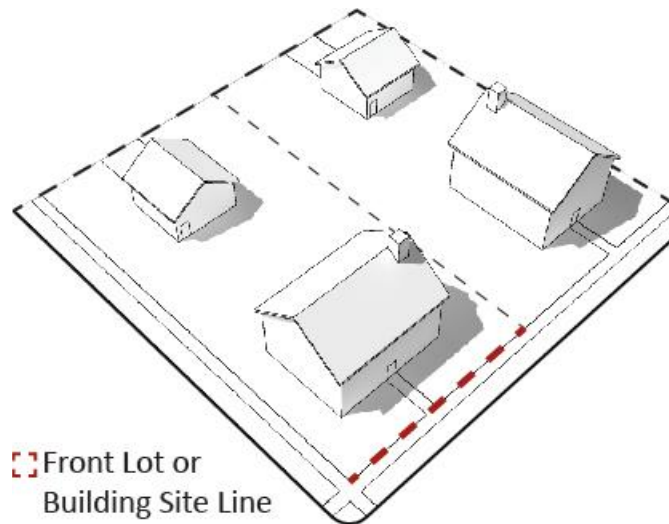


Frontage Line: the common line that separates the Private Frontage from the Public Frontage, typically at the Front Lot or Building Site Line in cases where the entire Public Frontage is with the public right-of-way.

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.

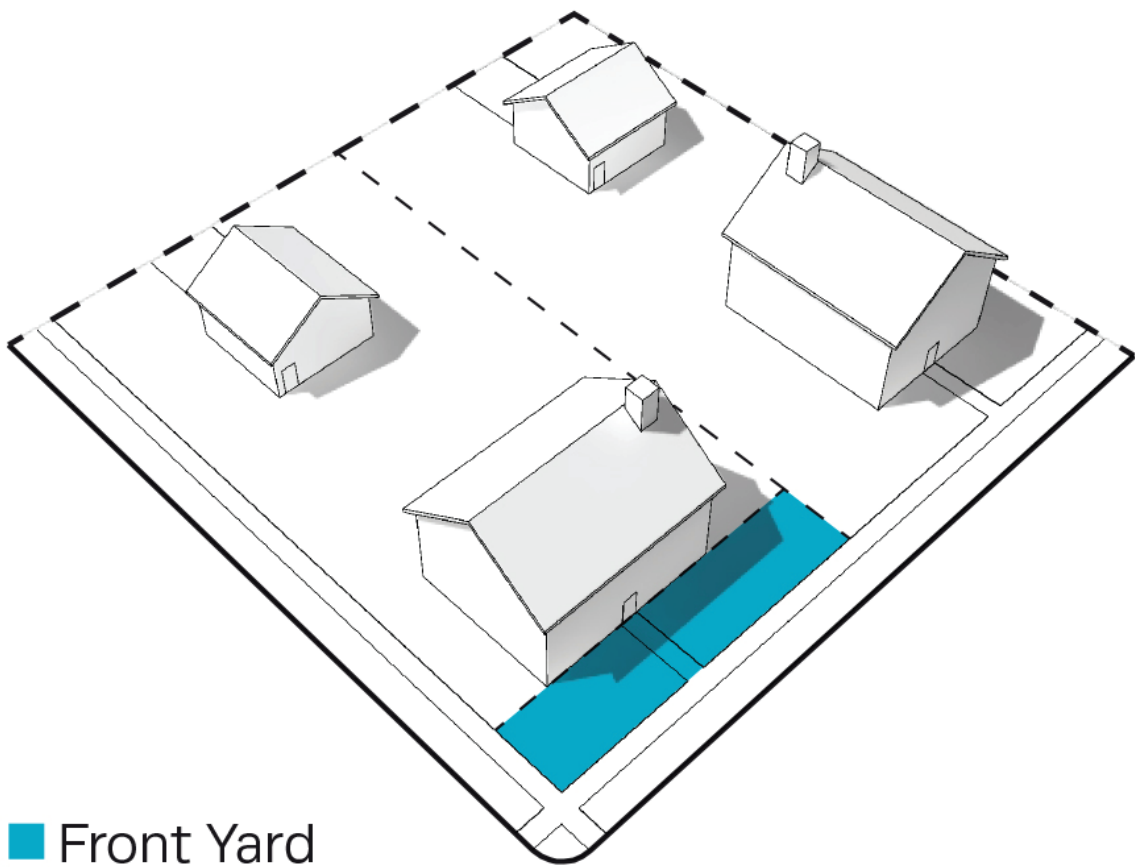
Front Lot or Building Site Line: the boundary at the front of a Lot or Building Site along the Thoroughfare right-of-way or Internal Drive. See Illustration 9.3.F-5 (Frontages and Lot or Building Site Lines).

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



■ Front 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.

Current Assessed Value of Structure - *Estimated Value of Foundation* = 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.

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.

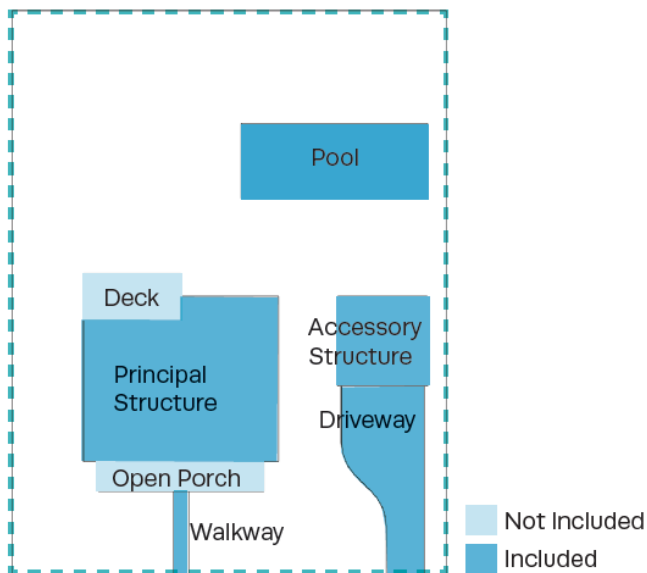
House Trailer: any Trailer designed to be used for living purposes with its wheels, roller or skids in place.

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;

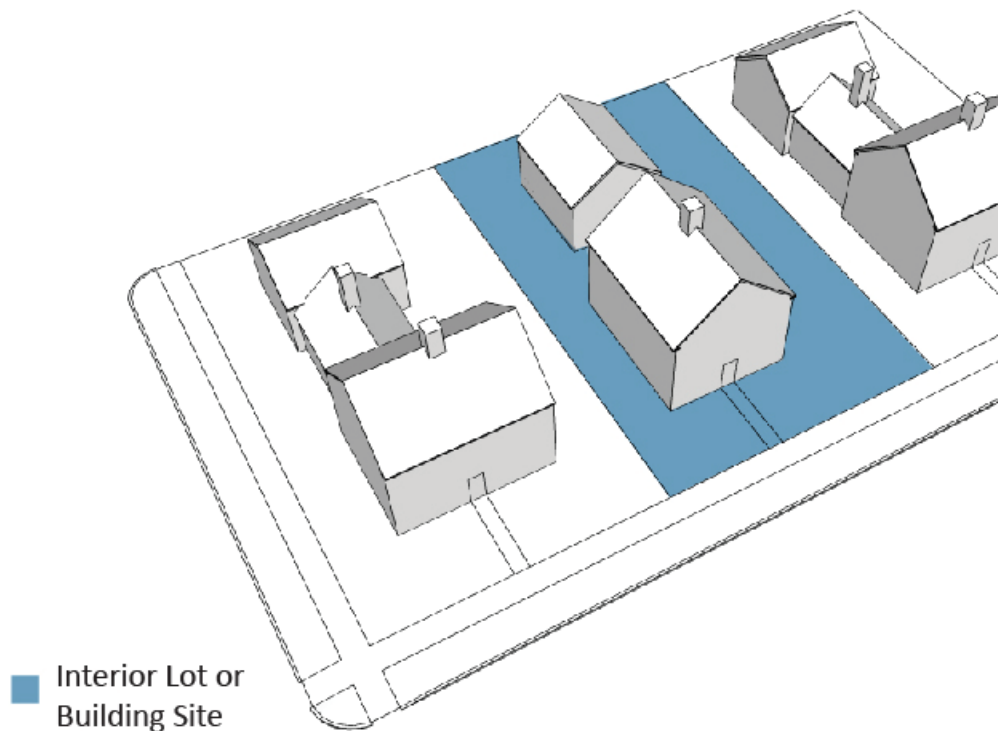
(2) Industrial Uses is the Use category, which is a collective reference to Uses in the following Use sub-Categories, as listed in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses) Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Temporary Uses): Heavy 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 commercial and industrial 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).

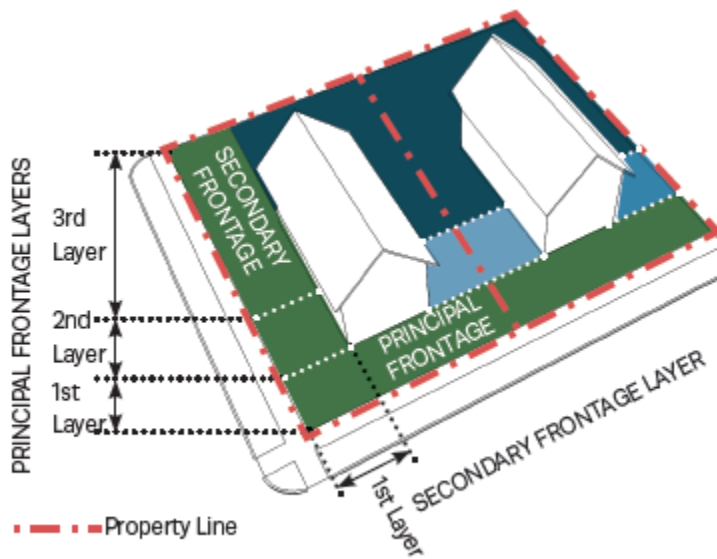
Large Projecting Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards).

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.
- (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.
- (3) that 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.

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:

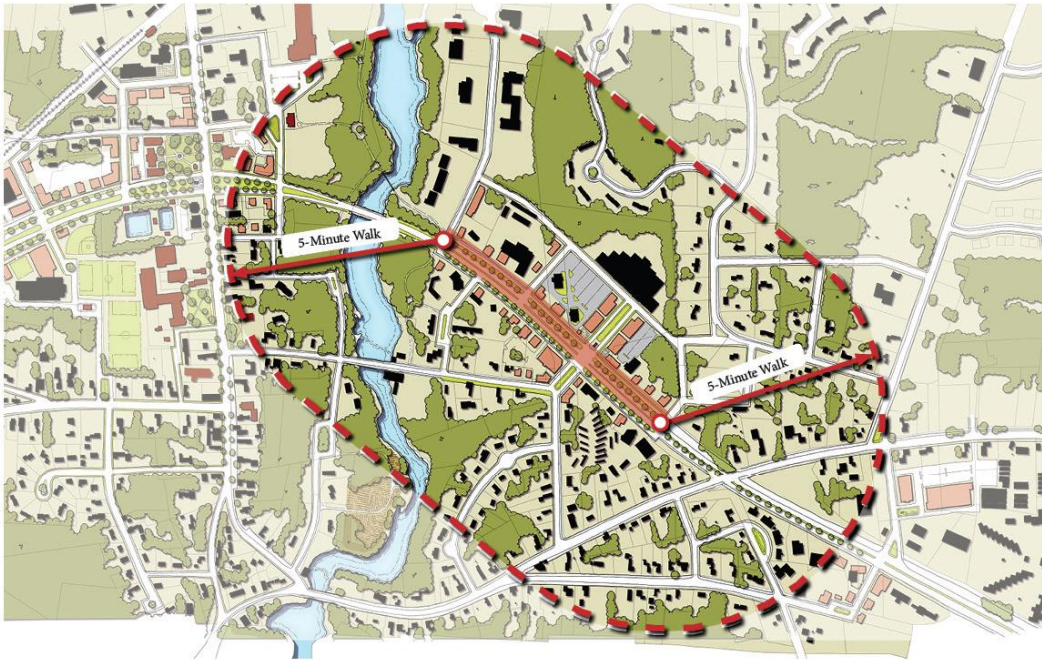
- (1) Heavy Industrial Uses;
- (2) Manufacture and production of goods from composting organic material (see Waste-Related Service);
- (3) Outdoor storage yard (see Warehousing and Freight Movement);
- (4) Sale or rental of machinery, equipment, heavy trucks, building materials, special trade tools, 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 at 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).

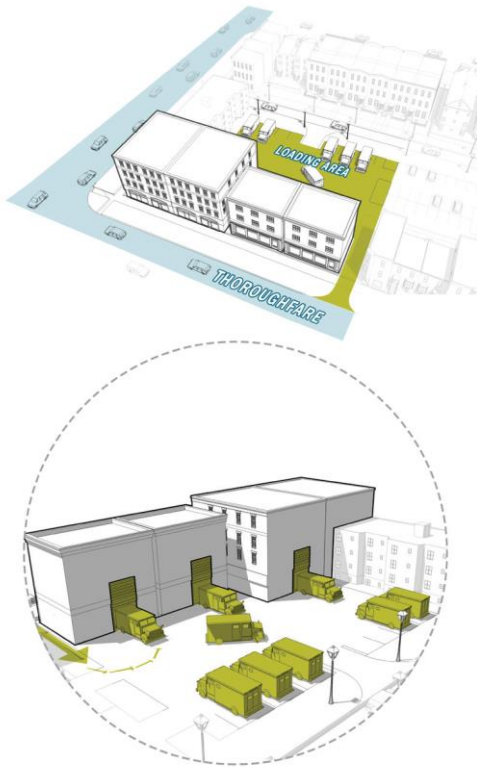
ILLUSTRATION 9.3.L-2 LINER BUILDING

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



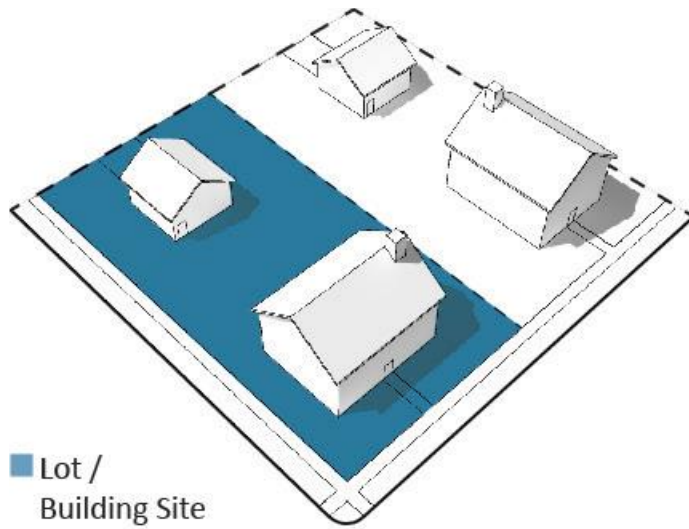
Loading Space: a space within a Loading Area that meets the design and dimensional requirements of Section 4.3.14.

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

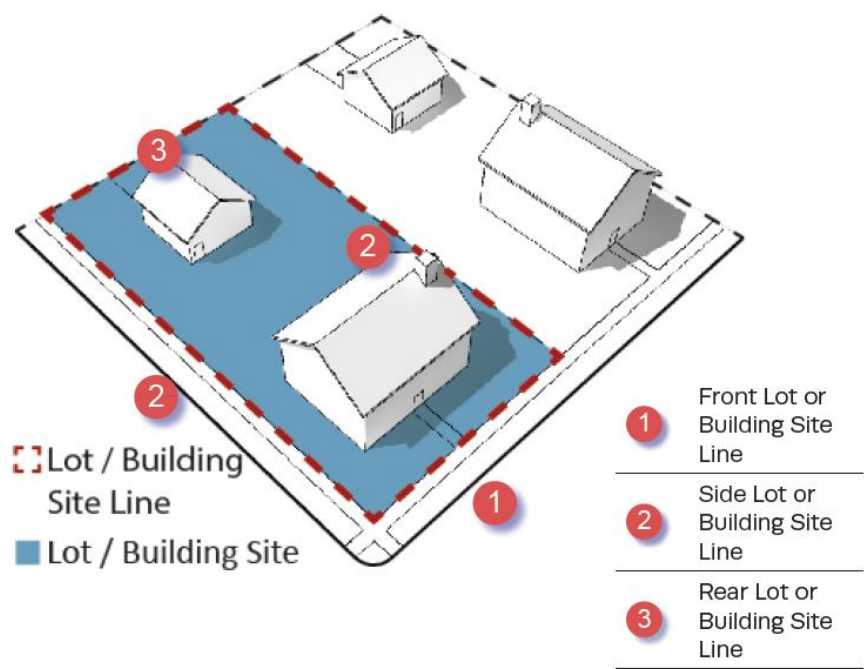


Lot or Building Site Area: the total horizontal area included within the Lot or Building Site Lines.

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

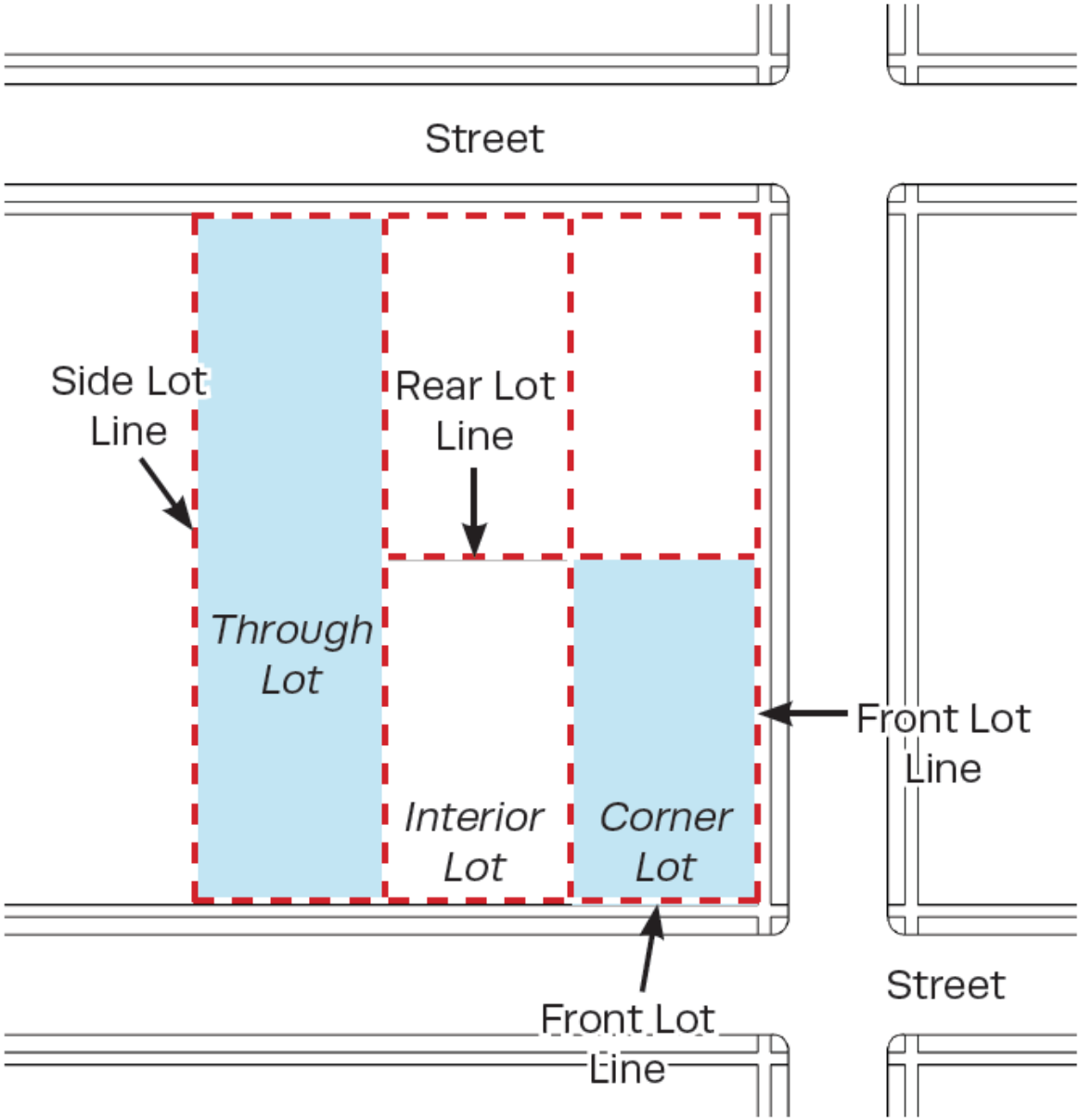


Lot or Building Site Width: the length of the Principal Frontage Line of a Lot or Building Site.

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.

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).

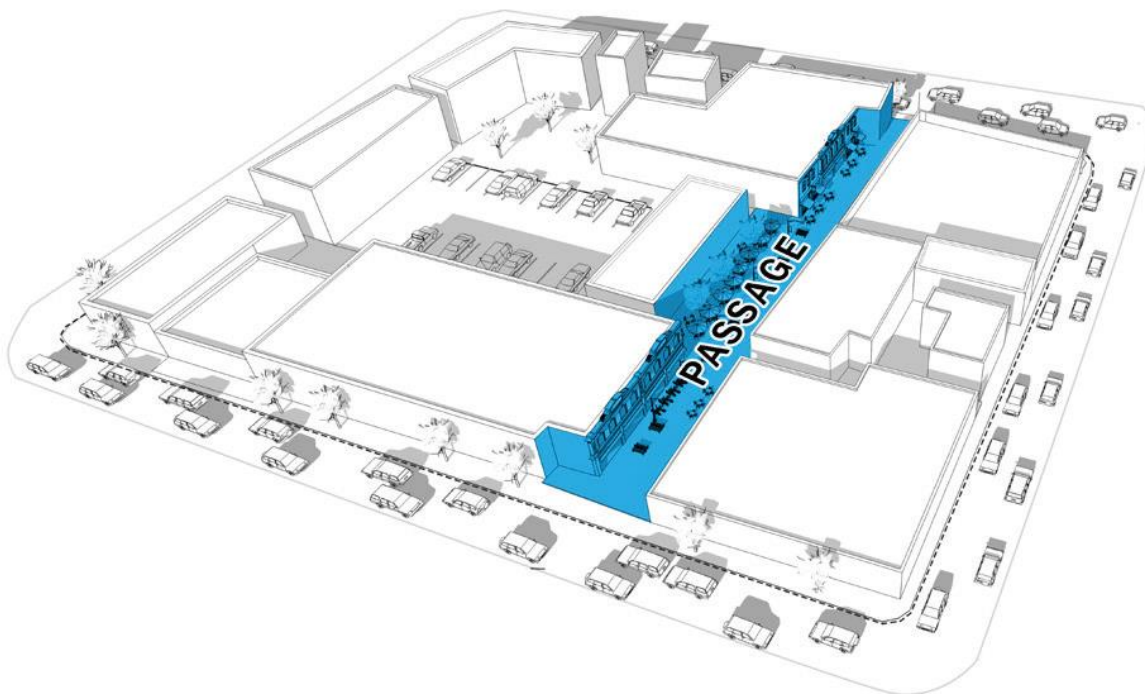
Parking Space: an area required or provided for Parking a vehicle, meeting the requirements of Section 4.3.12.

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



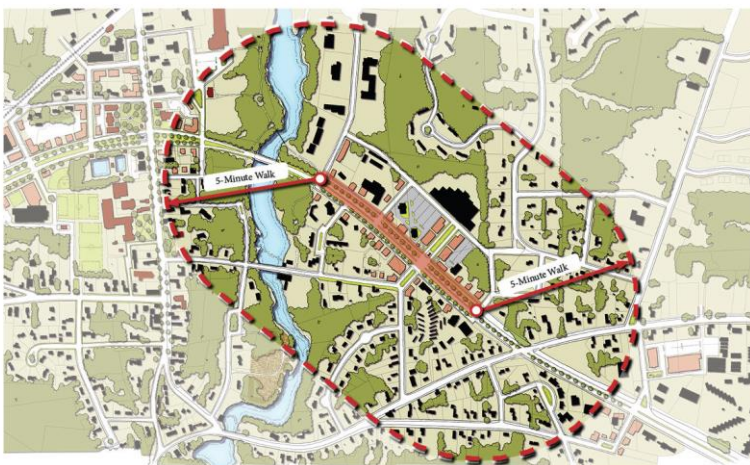
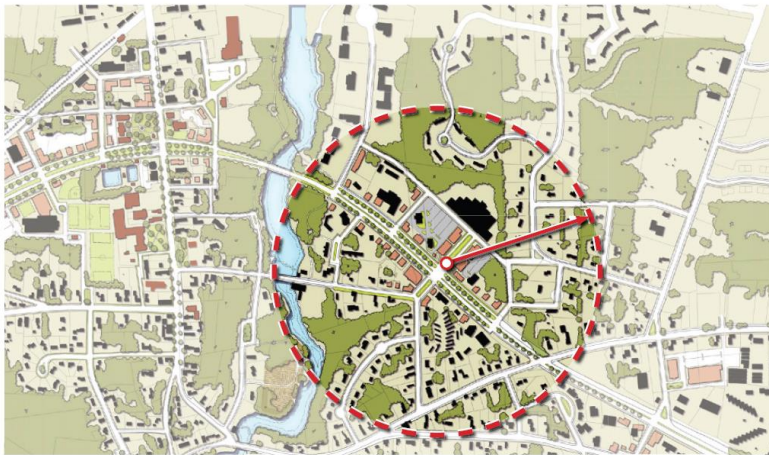
Passive Recreation: outdoor recreational activities, such as nature observation, hiking, and canoeing or kayaking, which require a minimum of facilities or Development and which have minimal environmental impact on the recreational site.

Path (PT): a pedestrian way traversing an open greenspace with a minimum area of 5,000 square feet , with landscape matching contiguous Civic Space, connecting directly with the 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.

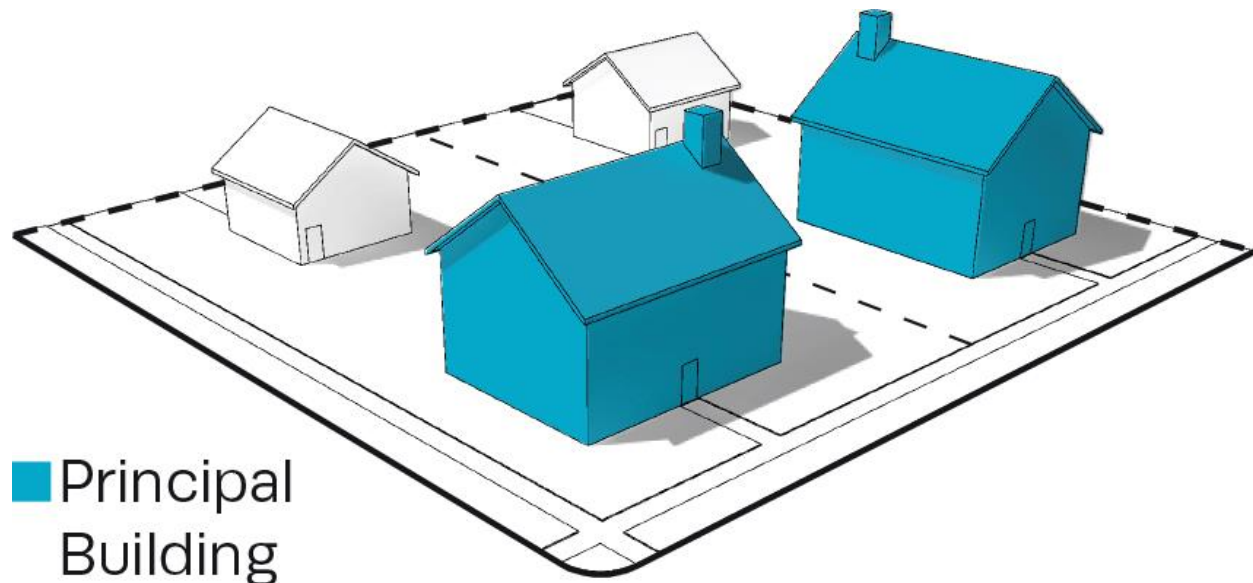
Post Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards)

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).

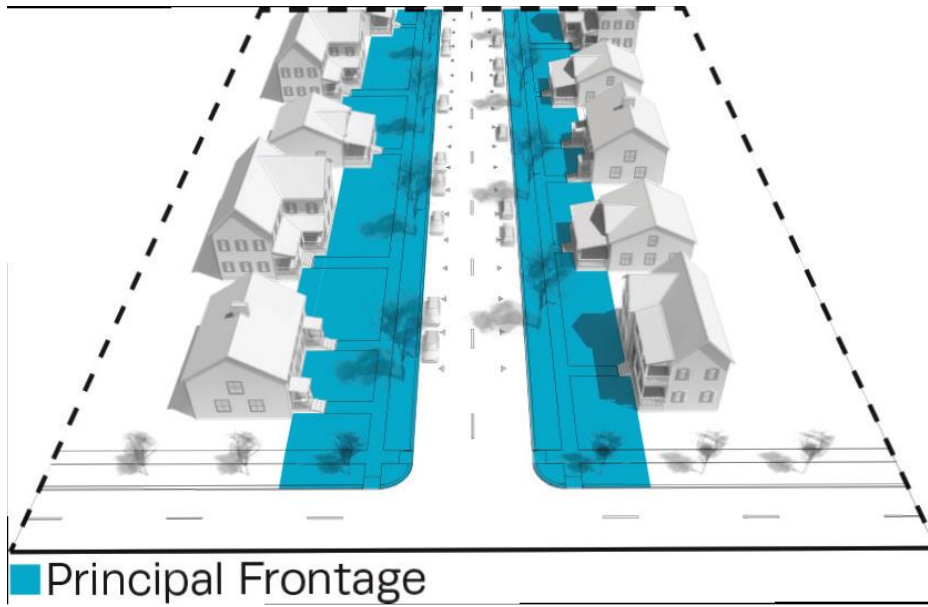
ILLUSTRATION 9.3.P-3 PRINCIPAL BUILDING



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

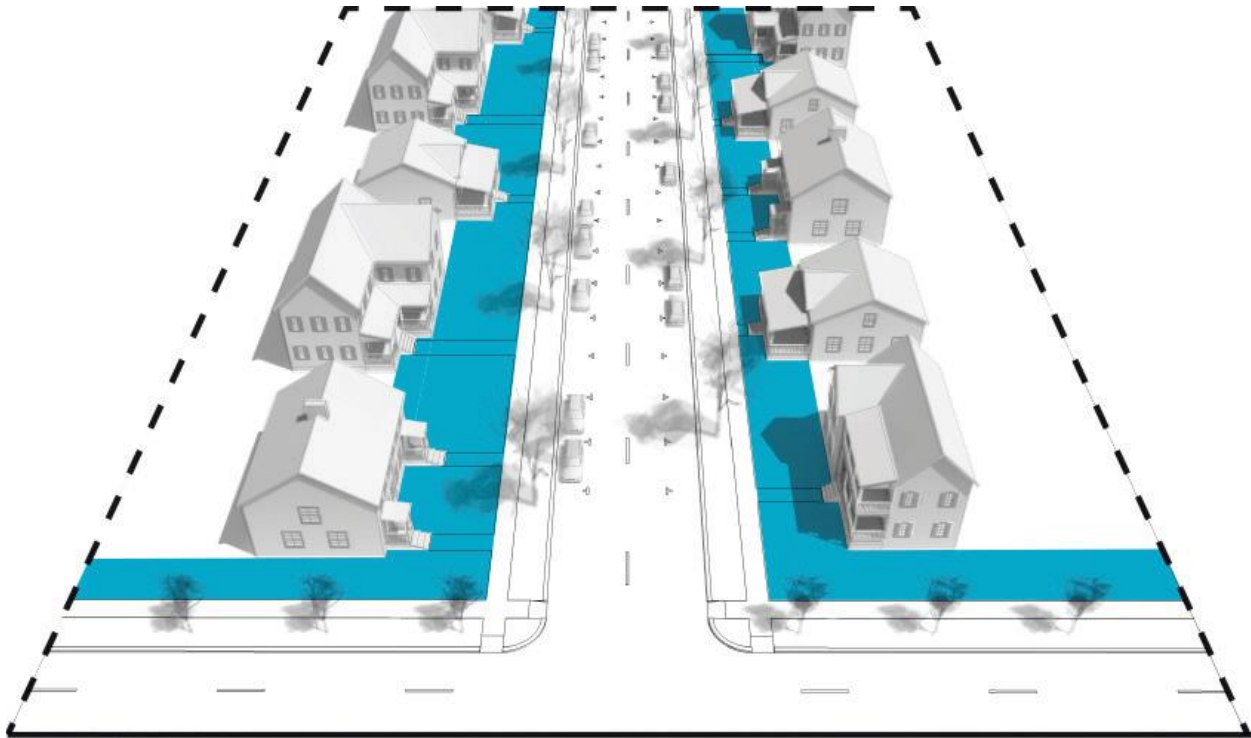


Principal Use: the primary or predominant Use of a Lot, Building Site, or Structure.

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



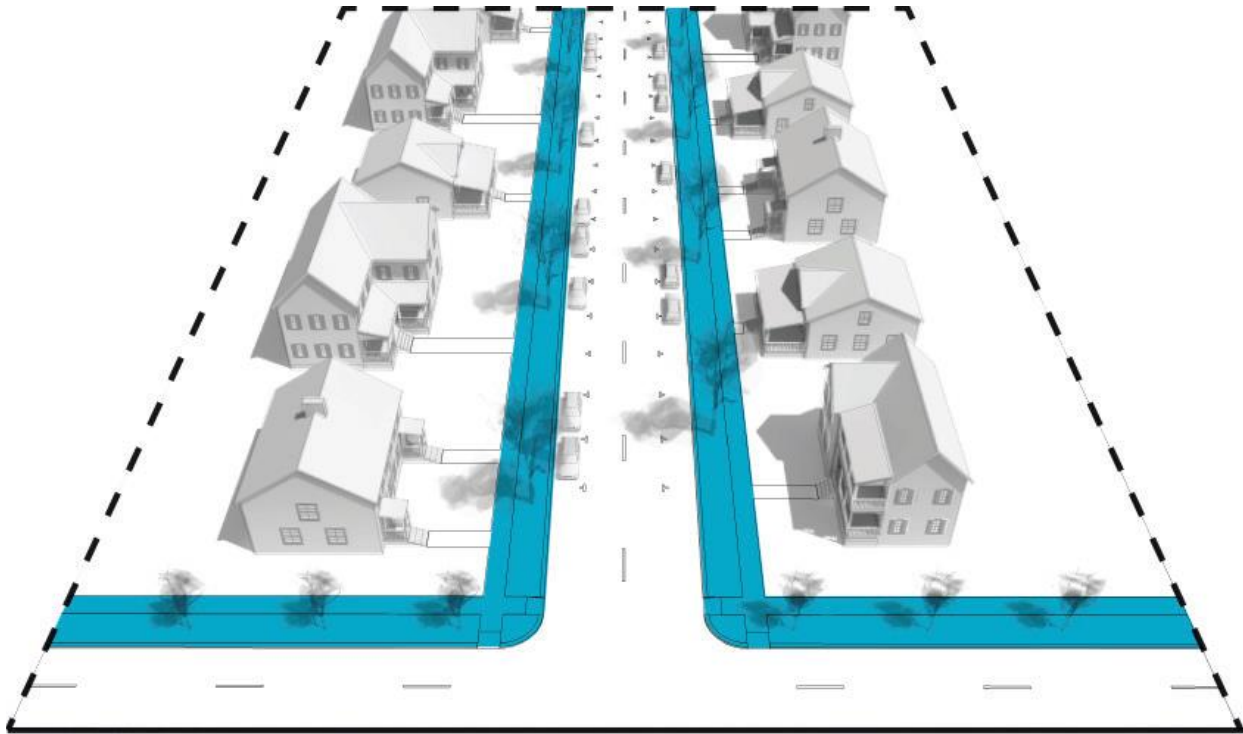
■ Private Frontage

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



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.

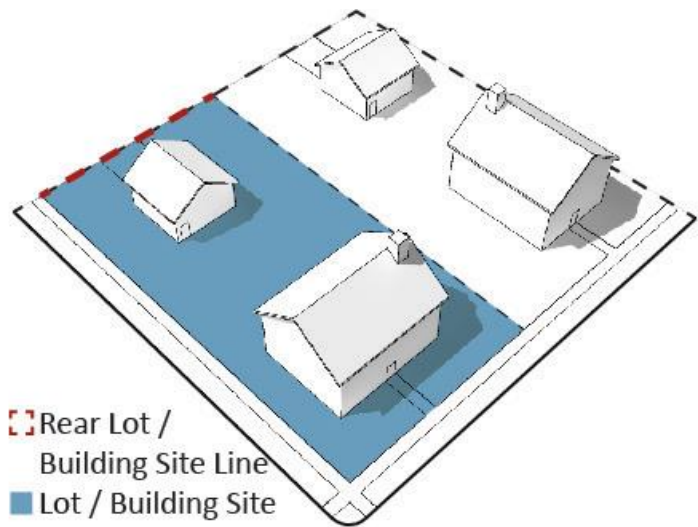
Public Meeting: a duly convened meeting of a Decision- Making Authority as contemplated under applicable state law, including public meetings, public hearings, workshops, and site visits.

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).

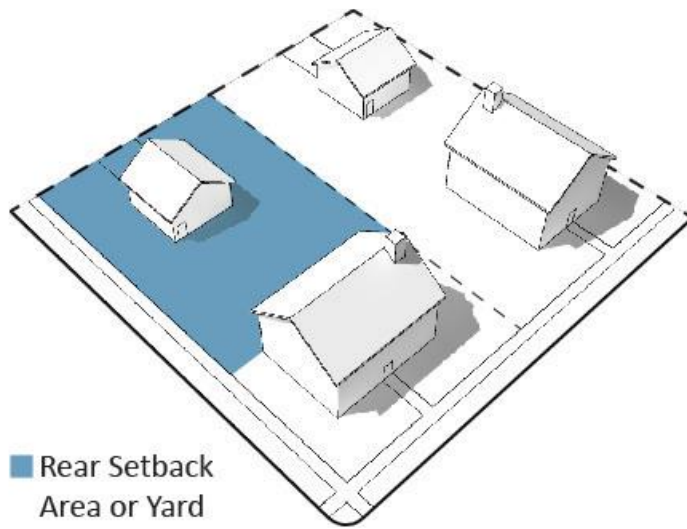
ILLUSTRATION 9.3.R-2 REAR SETBACK AREA OR REAR YARD



Rail Equipment Storage / Repair: Use involving premises for storing or repairing locomotives, rail cars, or other rail vehicles.

Rear 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.

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 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”.

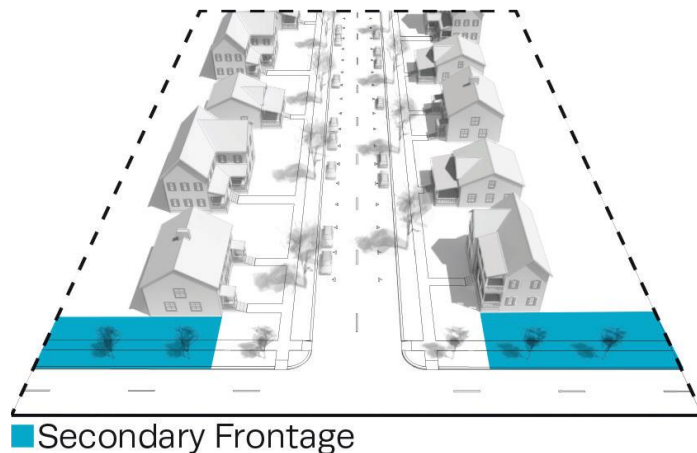
Scrap or Salvage Yard / Service: a Use, other than an Impound Yard or Towing Facility, in which an establishment is engaged primarily in the sale, storage, assembling, dismantling, sorting, distributing, or other processing of scrap, used equipment, mechanical components, or waste materials, including 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.

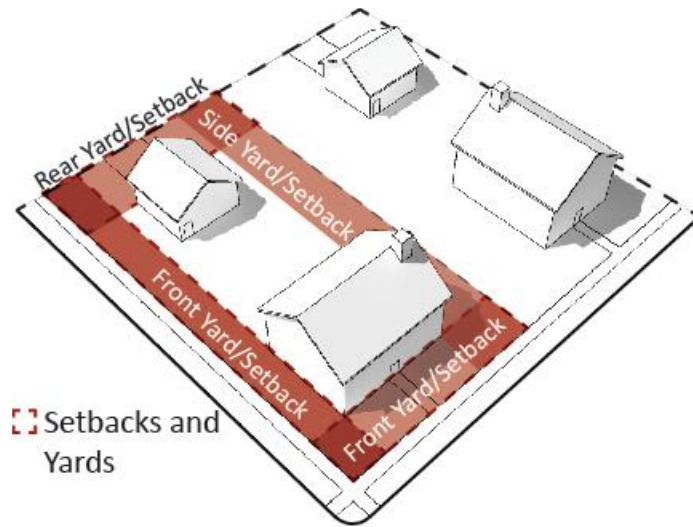
The following are not Self-Service Storage Facilities:

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.

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

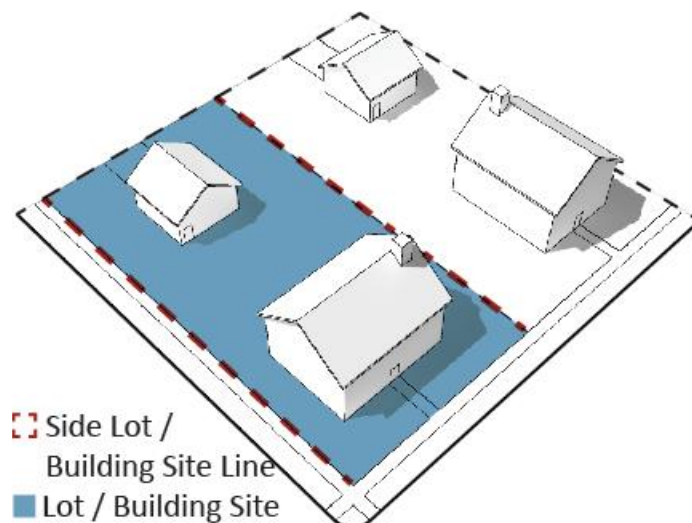
Line with the Building entrance at Sidewalk grade. This Frontage has substantial glazing at the Sidewalk level and may include an awning overlapping the Sidewalk. See Table 4.3.7.A (Private Frontage Types).

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

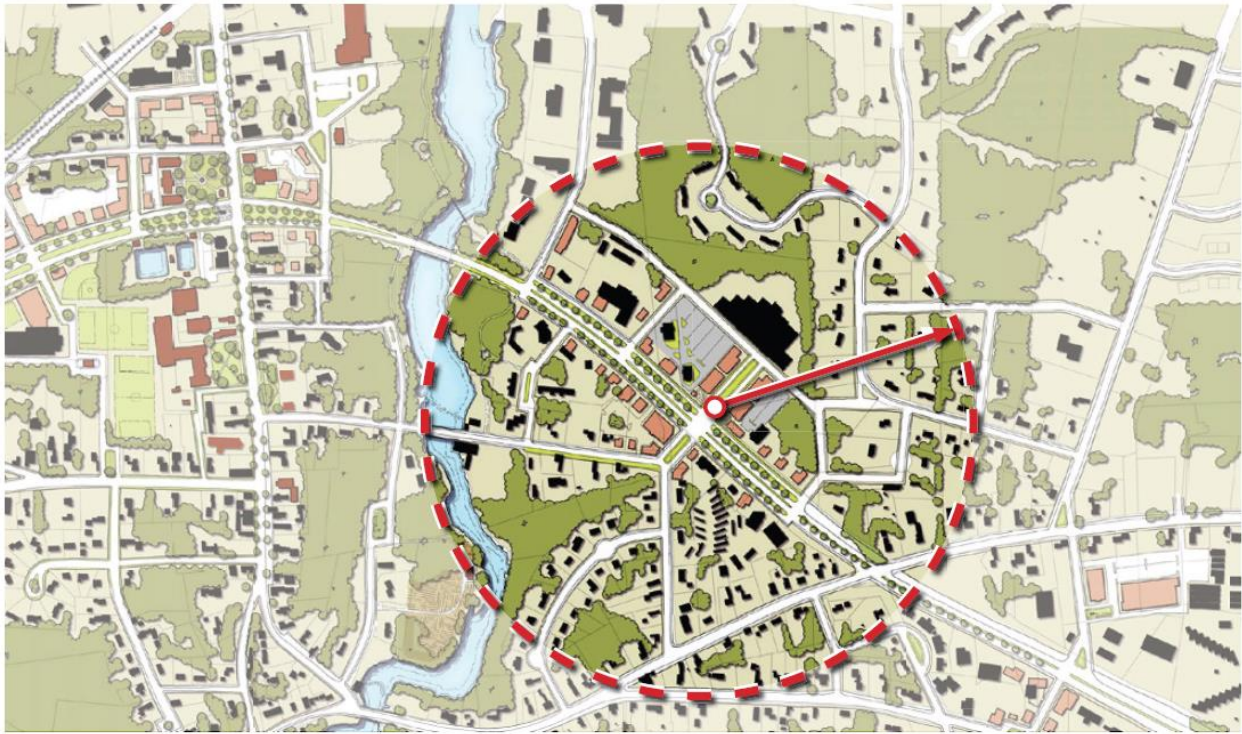
5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B (Civic Space - Specific Standards); excluding Sports Venues. May include associated Structures.

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

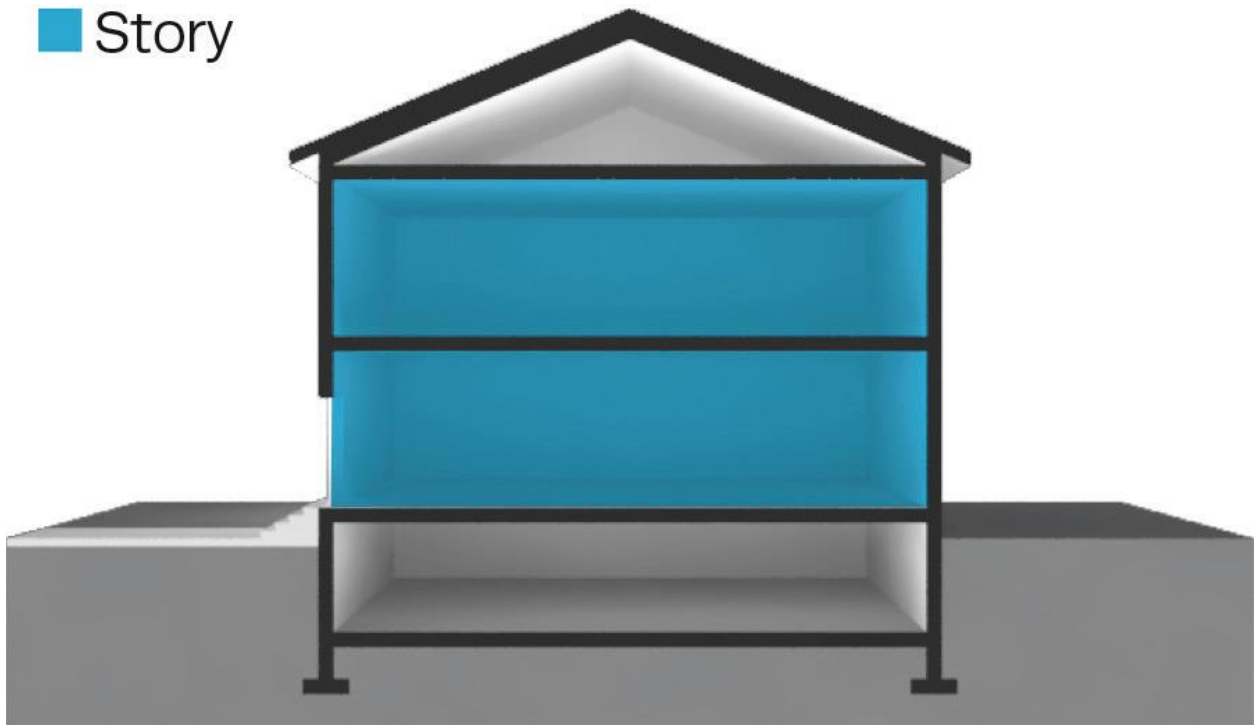


Stoop: a Private Frontage type wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy. An exterior stair and landing provides access to the entrance. This type is recommended for ground-floor Residential Use. See Table 4.3.7.A (Private Frontage 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

■ 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.

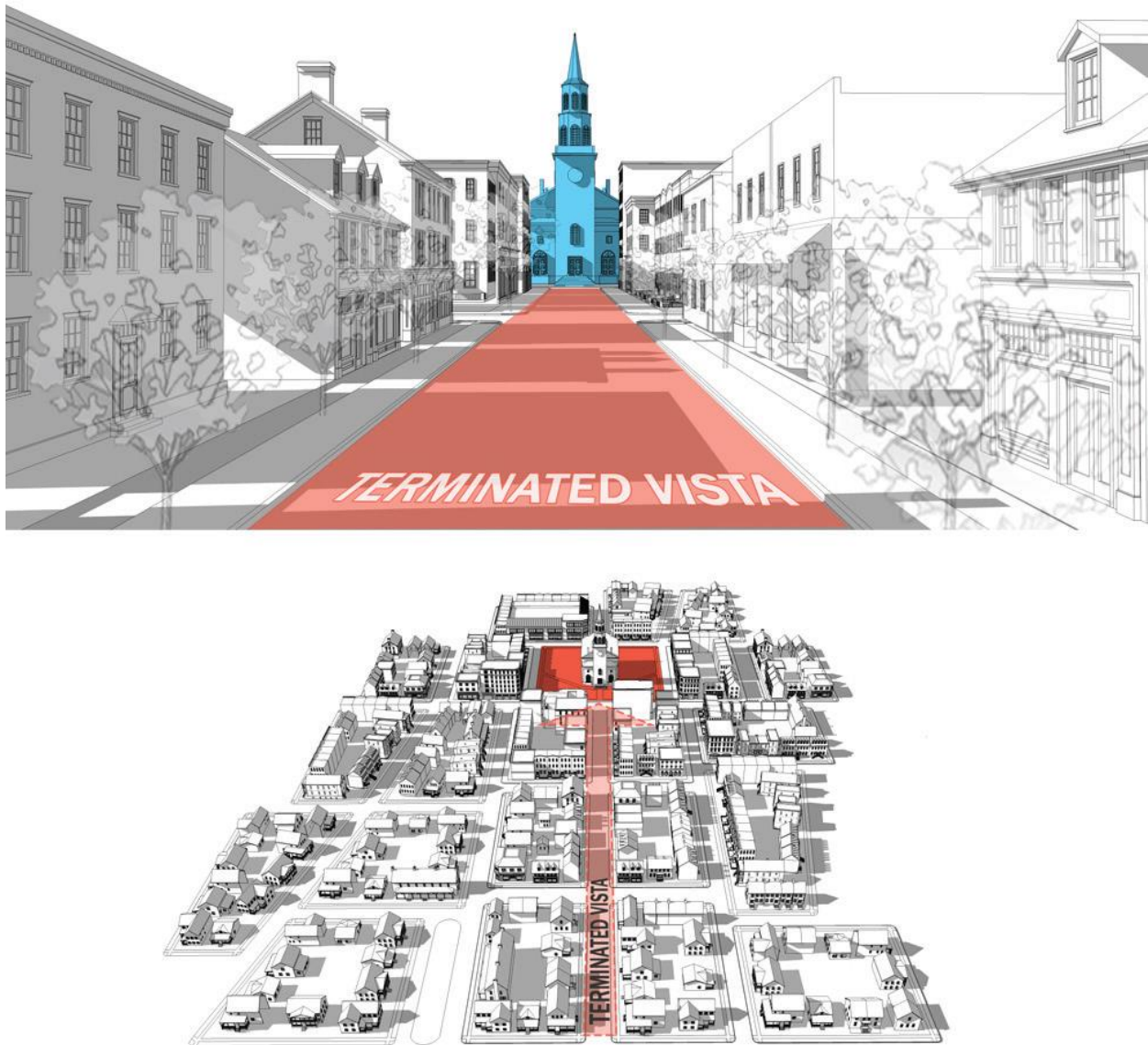
Temporary Sign: any Sign which is not permanently installed, mounted, or placed. Signs of the types described in Table 7.1.2.B-1 (Summary of Sign Types) and Table 7.1.2.B-2 (Sign Types - Specific Standards) are not Temporary Signs.

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).

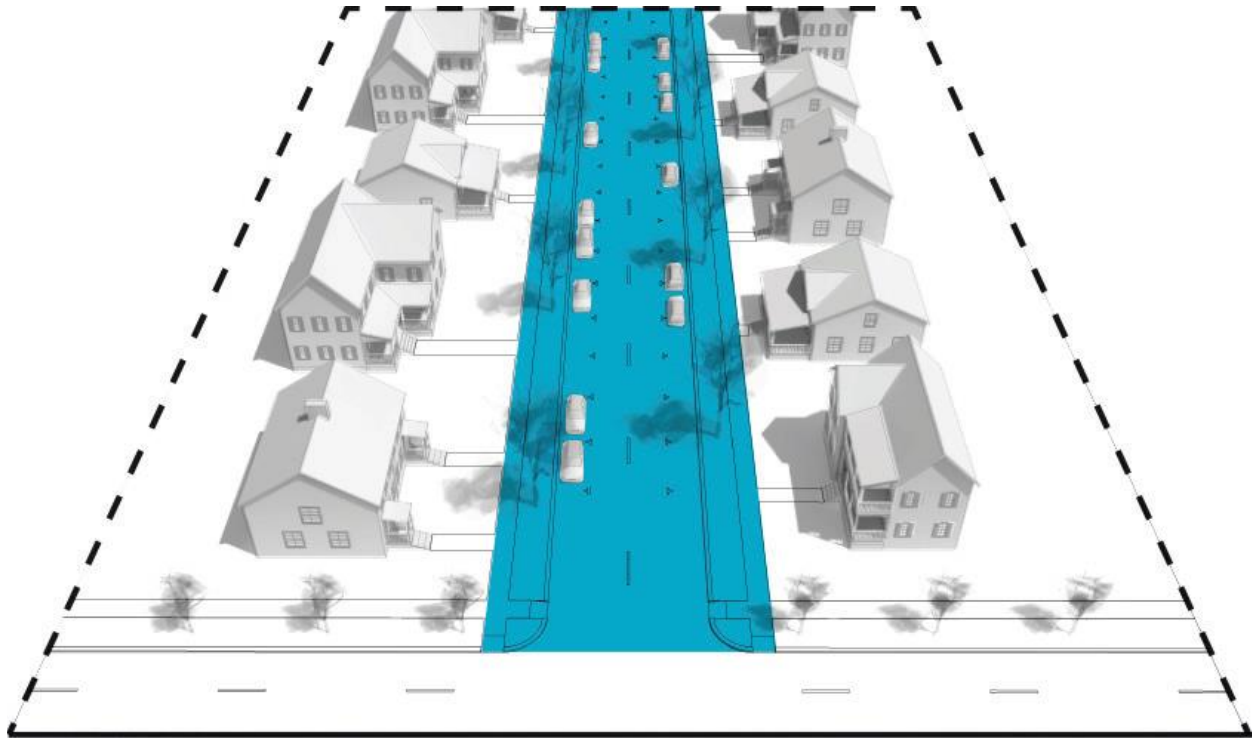
Theater: a Building or part of a Building devoted to the showing of motion pictures, or theatrical or performing arts productions, as a Principal Use.

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”.

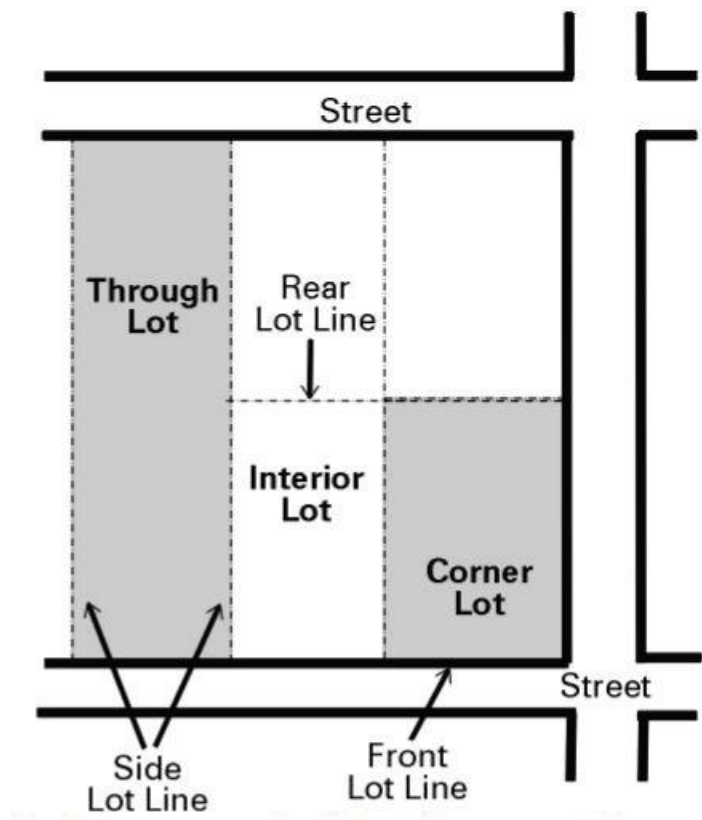
ILLUSTRATION 9.3.T-2 THOROUGHFARE



■ 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.

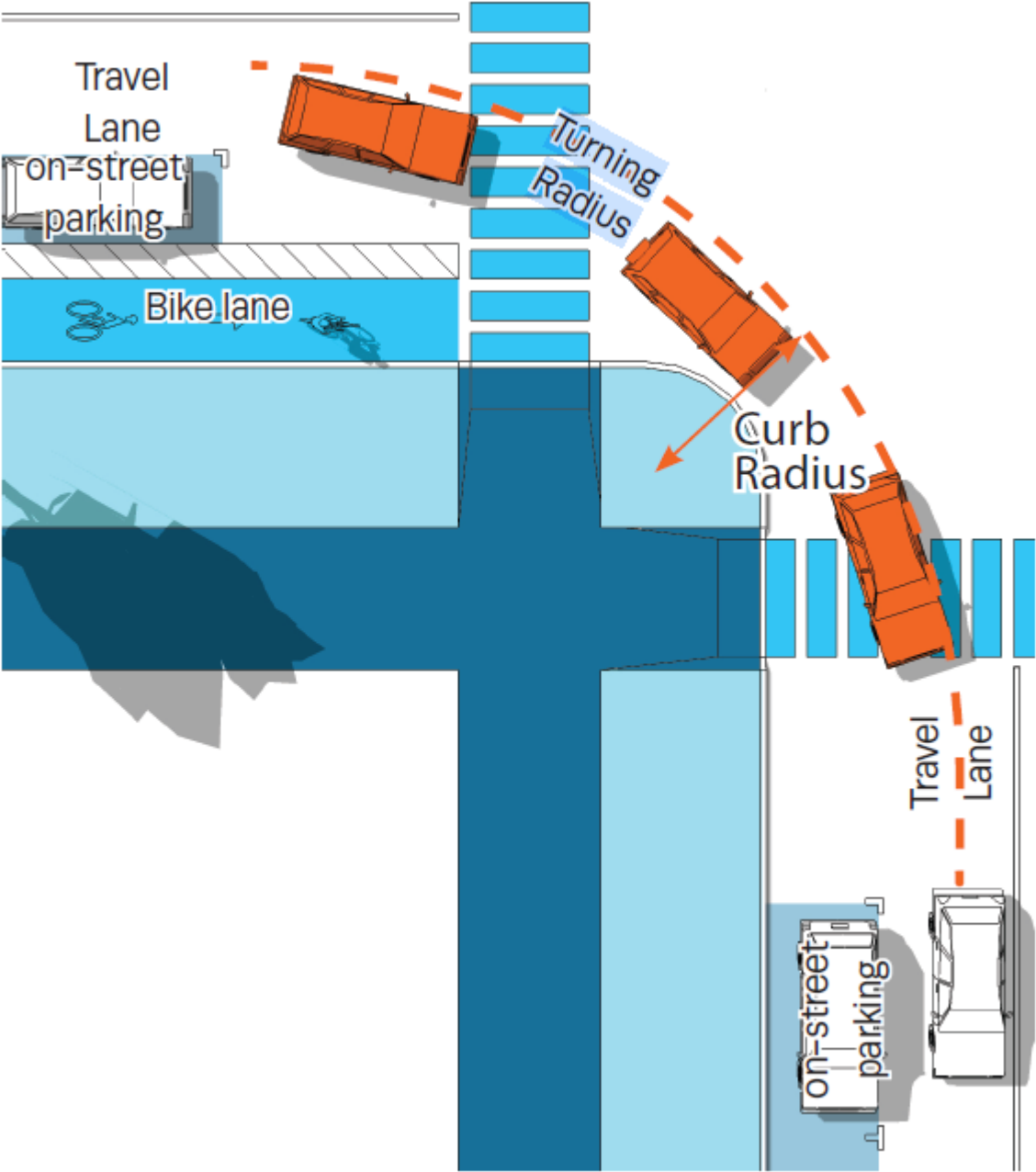
Transit Shelter: accommodation providing shelter from the elements for waiting transit riders, excluding a Transit Station or Terminal.

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 concrete, 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



Usable Floor Area: the Floor Area within a Building, less the area of space used for utilities or storage.

$$\begin{array}{rcl} \text{Floor Area} & & \text{Useable} \\ \text{Within Building} & - & \text{Floor Area} \\ & \text{Space Used For} & \\ & \text{Utilities or Storage} & \end{array} =$$

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.

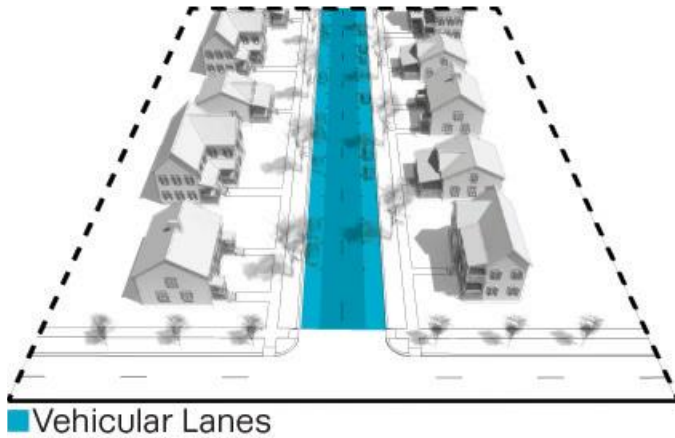
Utility Pumping Station: a facility at which water, sewage, or other Utility fluids are pumped from one place to another.

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).

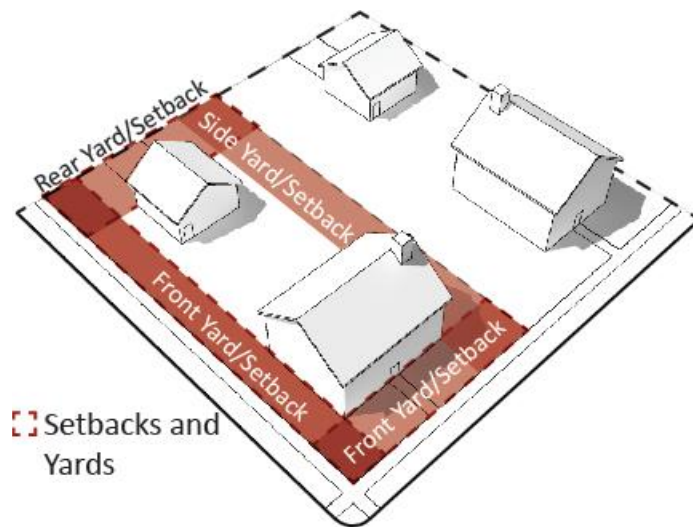
Winery: an establishment which is primarily used for the manufacture of vinous beverages in accordance with applicable state and local regulations.

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



Zoning Administrator: the City Planning 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.

ARTICLE 9:

DEFINITIONS

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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.

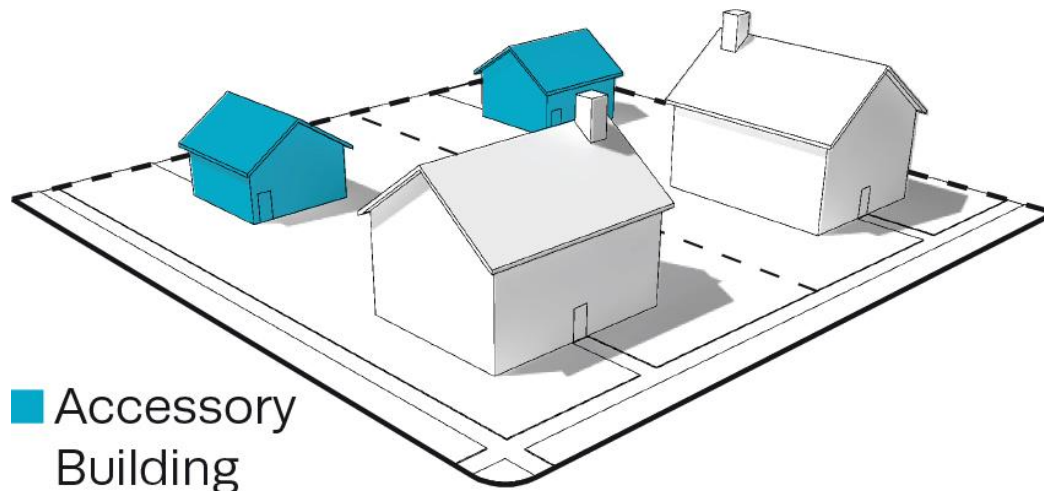
For purposes of this Ordinance, the following terms shall have the meanings set forth below unless the context clearly indicates or requires a different meaning:

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.

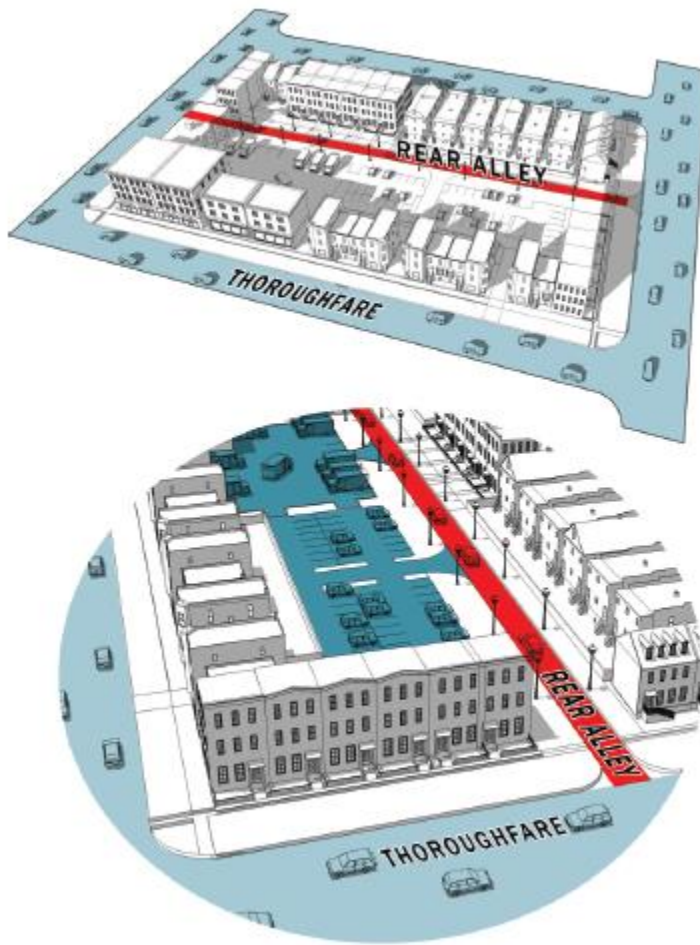
Agricultural and Extractive Uses: (1) collectively, Agricultural Uses and Extractive Uses; (2) a collective reference to Uses in the following sub- Categories: Agricultural Uses and Extractive Uses, as listed in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses) Table 4.3.9.A-2 (Building, 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



196

197 **Alteration / Alter:** as applied to a Structure, an Addition or a change, rearrangement, or modification in
 198 the structural members or elements or the exit facilities, or in any element of the Private Frontage, the
 199 Facade or any other exterior architectural feature, including without limitation erection, construction,
 200 reconstruction, or removal; any diminution; any enlargement, whether by extending on a side or by
 201 increasing in height; moving from one location or position to another; increasing the Floor Area;
 202 expending an amount more than 50% of the fair market value; or increasing the fair market value by more
 203 than 50%. Alteration does not include Ordinary Maintenance or Repair. The term Alter, in its various
 204 modes and tenses and its participial form, refers to the making of an Alteration.

205

206 **Alternative Tower Structure:** as related to Wireless Communication Facilities, trees, clock towers, bell
 207 steeples, light poles, water tanks and similar alternative – design mounting structures that camouflage or
 208 conceal the presence of antennas or towers.

209

210 **Antenna:** any exterior apparatus designed for telephonic, radio or television communications through the
 211 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.

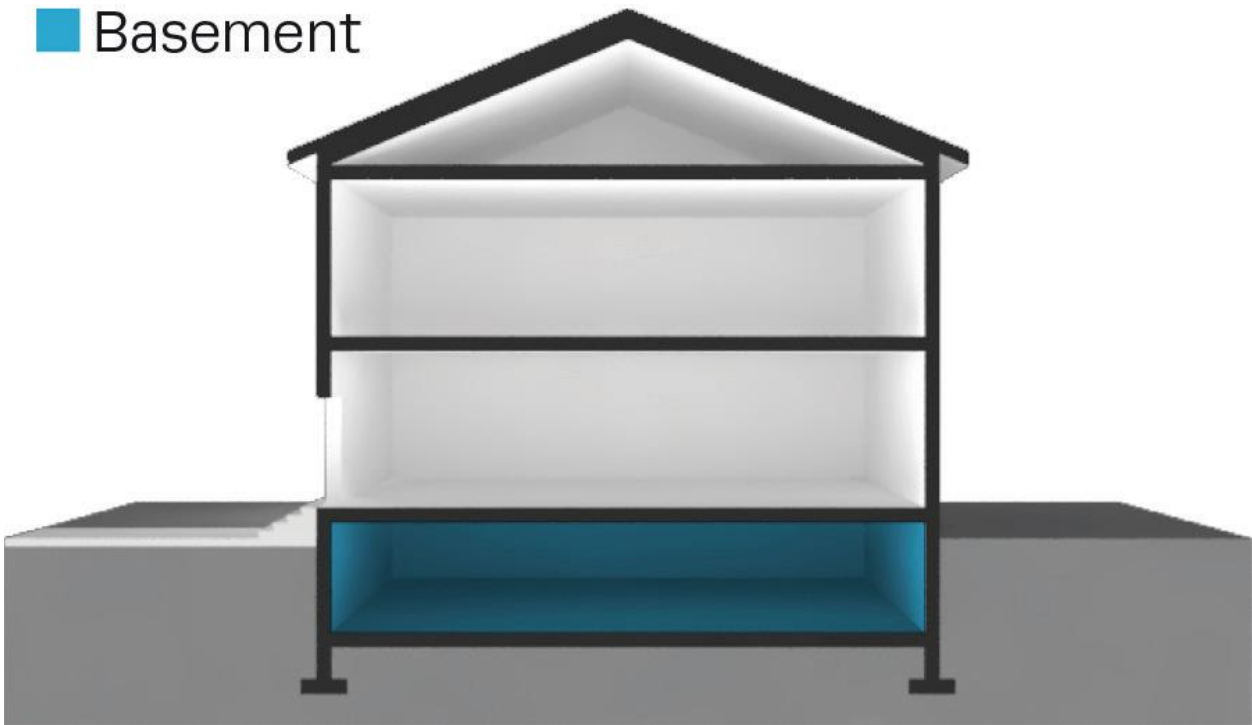


Base Flood Elevation: as defined in Section 6.12.2.

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

■ 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.

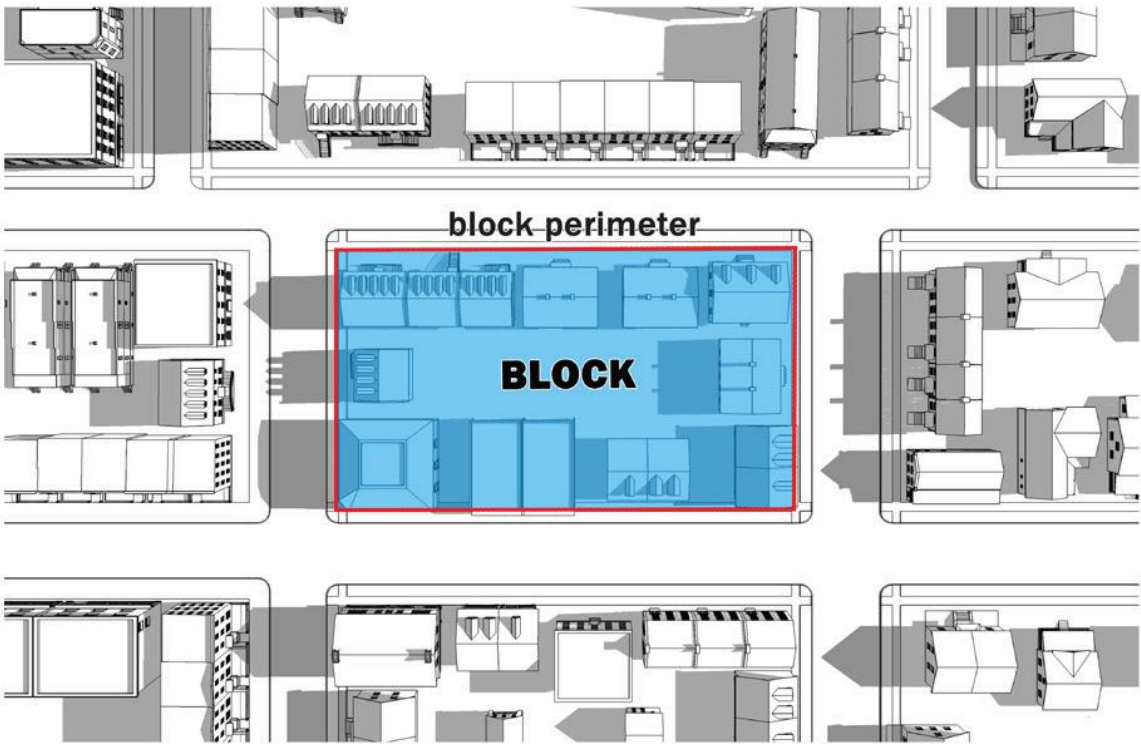
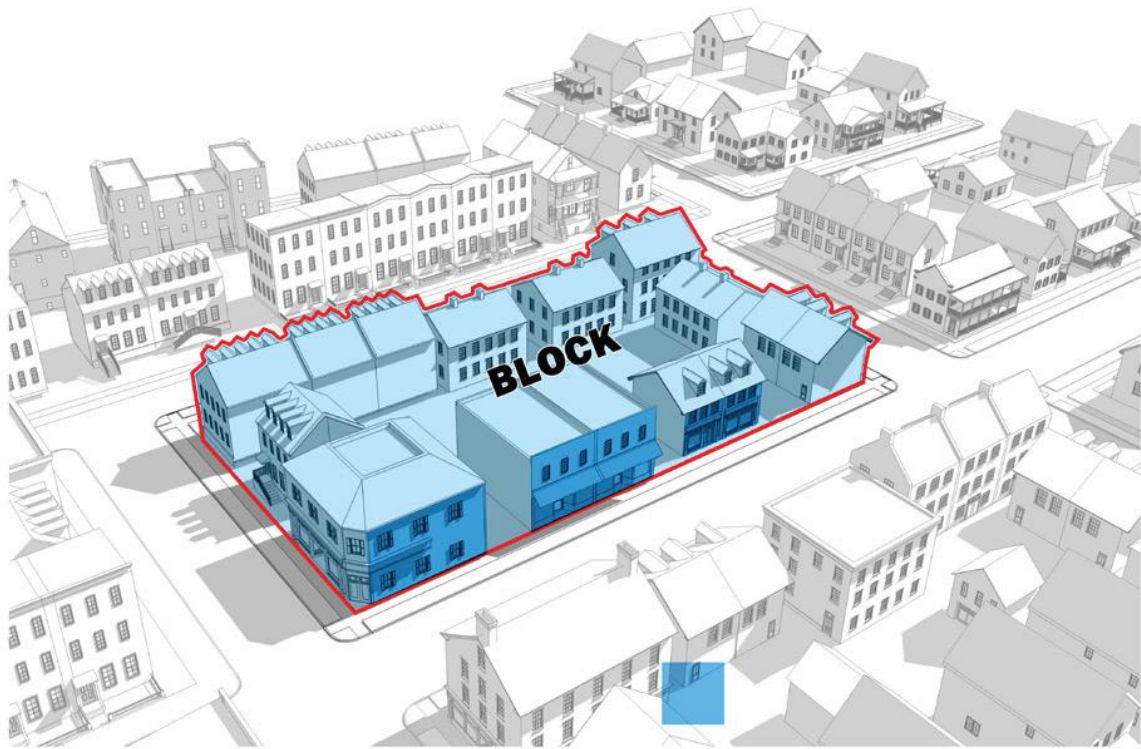
Bicycle Trail (BT): a bicycle way running independently of a vehicular Thoroughfare. See Table 5.2.4.B (Bikeway Types).

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



- 325
- 326 **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.

359

360 **Breakaway Wall:** as defined in Section 6.12.2.

361

362 **Brewery:** an establishment that is primarily used for the manufacture of beer. Such establishment may
363 sell beer for on-site consumption or for off- site distribution in accordance with applicable state and local
364 regulations.

365

366 **Brewpub:** a Use or establishment that is primarily engaged in the sale and service of food for on- premises
367 consumption and that also brews beer for on-site consumption in accordance with applicable state and
368 local regulations.

369

370 **Buffer:** a specified land area, located parallel to and within the outer perimeter of a Lot, Building Site, or
371 parcel of land and extending to the Lot, Building Site, or parcel boundary line, together with the planting
372 and landscaping required on the land. A Buffer may also contain, or be required to contain, a barrier such
373 as a fence or wall, or combination thereof, where additional Screening is necessary to achieve the desired
374 level of buffering between various Uses. The term "Buffer" is not synonymous with the term "Setback
375 Area or Yard" or the term "Stormwater Management Area."

376

377 **Building:** any Structure, other than a Parking Structure, having a roof supported by columns or by Walls
378 and intended for the shelter, housing, enclosure, or storage of Persons or property.

379

380 **Building Element:** any component or part of a Building.

381

382 **Building Official:** the City Chief Building Official or designee.

383

384 **Building Site:** a parcel of land that has not been subdivided as a separate Lot, but which is designated by
385 an applicant as a Building Site to be separately built on in a Development Plan or Master PUD Development
386 Plan, site plan, permit application, or plat, and which accommodates, or is available to accommodate, a
387 Principal Building. See Illustration 9.3.L-4 (Lot / Building Site). See also "Lot", "Lot or Building Site of
388 Record", and "Zoning Lot or Building Site".

389

390 **Building Systems Business:** establishment that installs, services, maintains, and/or repairs Building
391 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;

483

484 (2) a collective reference to the Uses listed under the heading “Civic Uses” in Table 4.3.9.1-A (Building,
 485 Lot, & Building Site Principal Use), Table 4.3.9.1-B (Building, Lot, & Building Site Accessory Use), and Table
 486 4.3.9.1- C (Building, Lot, & Building Site Temporary Use).

487

488 **Civic Building:** a medium- to large-sized attached or detached Principal Building type, which is operated
 489 by a not-for-profit organization or governmental entity, is dedicated to Civic activities, and is designed to
 490 stand apart from its surroundings due to the specialized nature of its Civic purpose. Examples include but
 491 are not limited to Auditoriums, Conference / Convention / Exhibition Centers, Libraries, Places of
 492 Assembly, Courthouses, centers of government, Performing Arts Venues, and Museums. Civic Buildings
 493 are often the most prominently sited and architecturally significant Buildings in a community. See Table
 494 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).

495

496 **Civic Space:** an outdoor area dedicated for Civic Use, which meets the applicable standards of this
 497 Ordinance. See Table 5.3.3-A (Civic Space Types - Summary) and Table 5.3.3-B (Civic Space Types -Specific
 498 Standards).

499

500 **Civic District:** an area on the Official Zoning Map designated for Civic Building(s) and/or Civic Space(s).

501

502 **Civil Support:** Use category collectively referring to the Uses listed as such in Table 4.3.9.A-1 (Building, Lot
 503 & Building Site Principal Uses).

504

505 **Clinic:** a Medical Clinic or Dental Clinic.

506

507 **College or University:** an educational institution that offers courses of general or specialized study leading
 508 to a degree.

509

510 **Commercial Uses:** the Use category, which is a collective reference to the Uses in the following Use sub-
 511 Categories, as listed in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses):

512

513 Accommodations / Lodging, Day Care (non-Civic), Educational Facilities (non-Civic), Indoor Recreation,
 514 (Commercial), Group Assembly, Outdoor Recreation (Commercial), Commercial Parking (Commercial),
 515 Restaurant, Retail / Personal Service / Repair / Art /Artisan, Self-Service Storage, Boat-Related Uses, Motor
 516 Vehicle-Related Uses, Manufactured Home Sales, and Wholesale Sales.

- 517
- 518 **Commercial Building:** a small- to medium-sized attached or detached non-Residential Building Type,
 519 typically designed to facilitate pedestrian-oriented Retail/ Personal Service / Repair / Art / Artisan Uses
 520 and Office Uses. See Table 4.3.8.A (Principal Building Types Summary) and Table 4.3.8.B (Principal Building
 521 Types - Specific Standards).
- 522
- 523 **Commercial Indoor Athletic Training Facility:** Business establishment providing indoor facilities designed
 524 and used for active participatory athletic activities or training, including but not limited to personal
 525 strength and fitness training, gymnasiums, skating rinks, swimming pools, and tennis courts. Specifically
 526 excluded are Health Clubs, Day Spas, and Sports Venues.
- 527
- 528 **Commercial Parking:** a Parking Lot or Parking Structure operated as a for-profit endeavor.
- 529
- 530 ~~**Commercial Street:** a Thoroughfare or Internal Drive designed for moderate to high vehicular capacity~~
 531 ~~and slow speed, traversing an Urbanized area, described as such in Table 4.3.8.A (Thoroughfare Types~~
 532 ~~Summary) and Table 4.3.8.B (Thoroughfare Assemblies and Standards). The Public Frontage has raised~~
 533 ~~Curbs drained by inlets and very wide Sidewalks along both sides, separated from the vehicular lanes by~~
 534 ~~separate Tree wells with grates and parking on both sides. The landscaping consists of a single Tree species~~
 535 ~~aligned with regular spacing where possible, which clears the storefront entrances.~~
- 536
- 537 **Common Destination:** an area of focused community activity, usually defining the approximate center of
 538 a Pedestrian Shed. It may include without limitation one or more of the following: a Civic Space, a Civic
 539 Building, a Commercial center, or a transit station, and may act as the social center of a neighborhood.
- 540
- 541 **Common Open Space:** a parcel or parcels of land and/or an area of water within a Development site
 542 designated, designed, and intended for use or enjoyment of the occupants of the Development site.
 543 Common Open Space may contain such complementary Structures and Improvements as are necessary
 544 and appropriate for the benefit and enjoyment of the occupants of such Development site. ~~Common Open~~
 545 ~~Space must meet the applicable Civic Space standards of this Ordinance.~~
- 546
- 547 **Common Yard:** a planted Frontage wherein the Facade is set back substantially from the Frontage Line,
 548 and the Front Yard so created remains unfenced and is visually continuous with Abutting yards, supporting
 549 a common landscape. See Table 4.3.7.A (Private Frontage Types).
- 550

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.

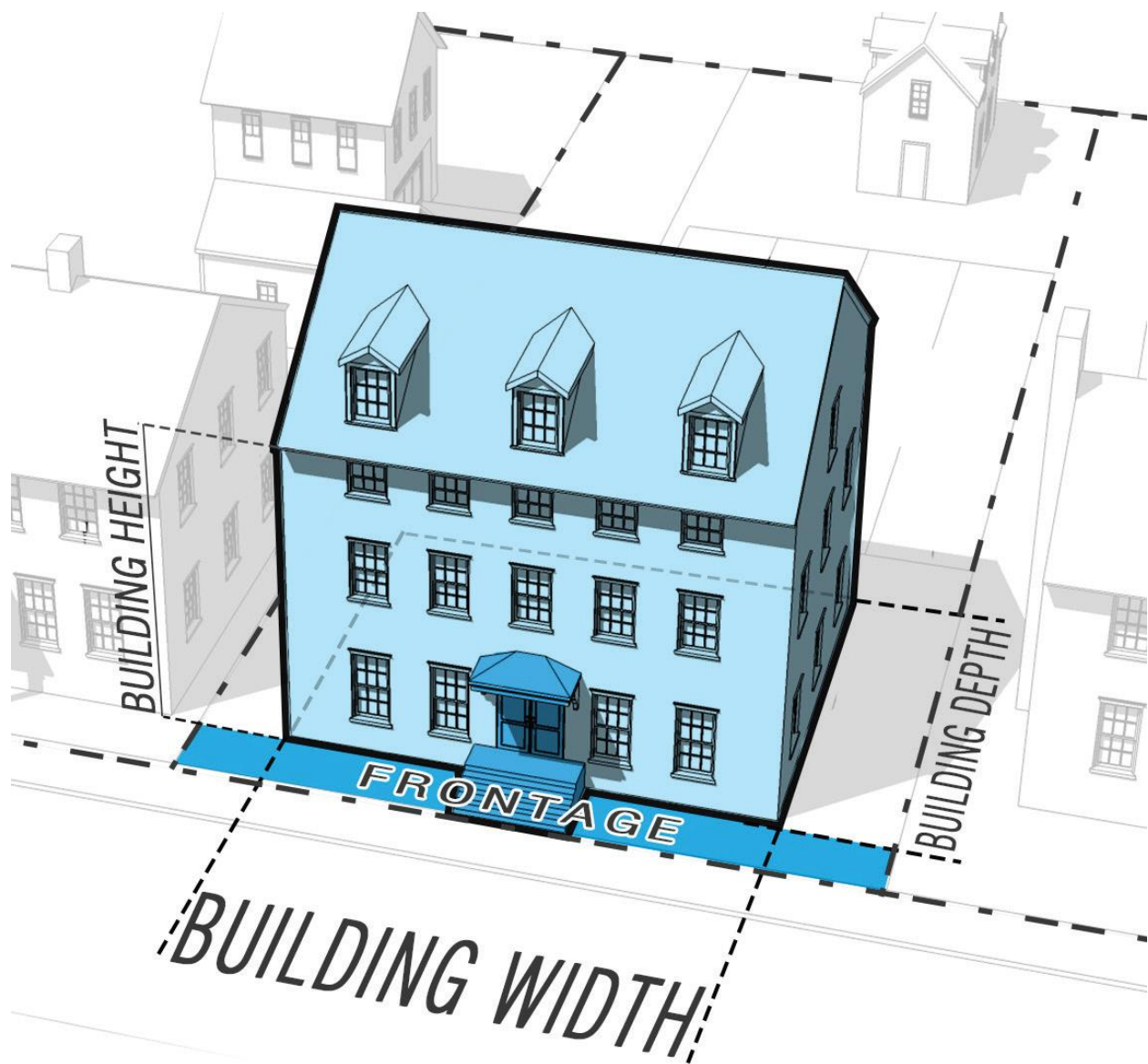
Conditional Use Permit: a permit issued pursuant to Section 8.5.16.C.

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

604



605

606

607

608 **Conference / Convention / Exhibition Center:** premises that accommodate conferences, exhibitions,
609 meetings, seminars, training sessions, and other similar gatherings.

610

611 **Construction:** the act of adding an Addition to an existing Structure or the erection of a new Structure.

612

Construction Business: an establishment engaged in any Business involving activities generally referred to general contracting, construction trades, building, or Development.

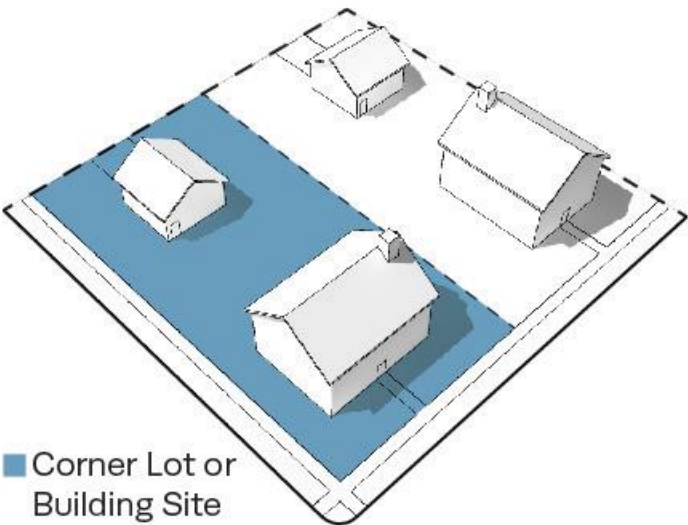
Continuum of Care Facility: a facility providing one or any combination of assisted living, nursing home, or skilled nursing for the elderly or other individuals incapacitated in some manner for medical reasons, as determined and licensed and/or certified by the Tennessee Department of Health, Board 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.

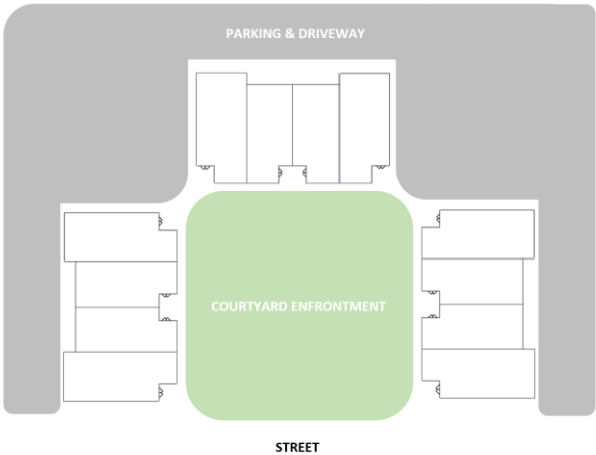
Cosmetic Reconditioning: incidental repair and refinishing of a vehicle, limited to plastic and trim parts, including bumpers, moldings, mirrors, headlight lenses, and the restoration of alloy wheels. Vehicle side panels may also be refinished when a bumper scrape carries onto a fender. Cosmetic Reconditioning 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.

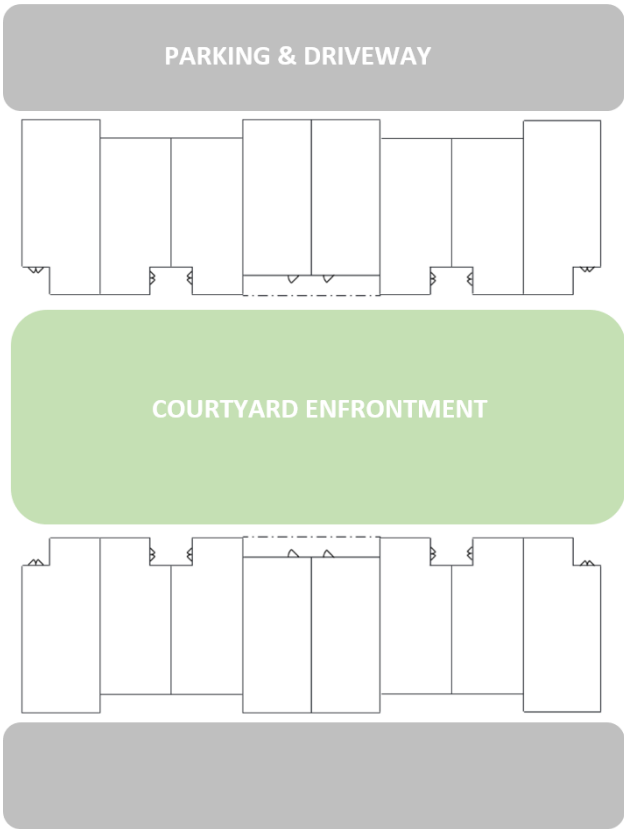
Counseling Service: an establishment providing counseling, guidance, or similar services to persons requiring rehabilitative or vocational assistance. This term includes job training and placement services.

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.

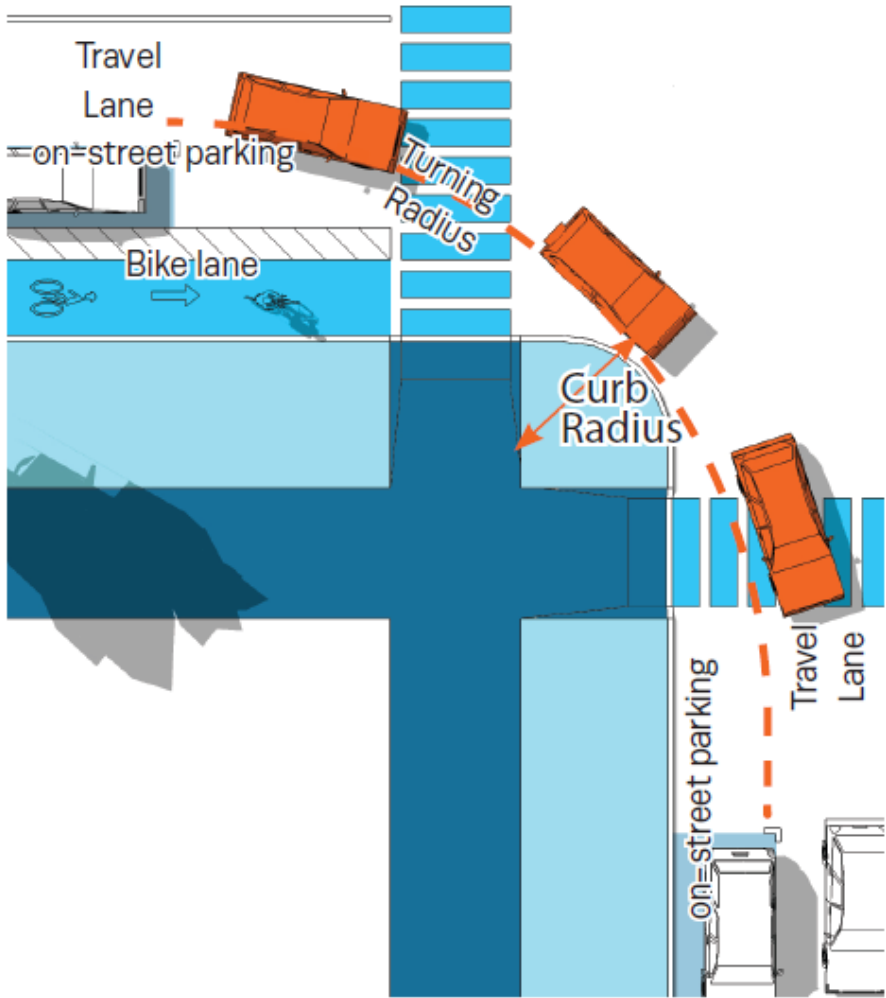
Critical Root Zone: with respect to a tree, a circular area measured outward from the tree trunk, representing the essential area of the roots that must be maintained for the tree’s survival. The Critical Root Zone is measured one foot of radial distance for every inch of tree at diameter at breast height, 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).

ILLUSTRATION 9.3.C-3 CURB RADIUS



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.

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.

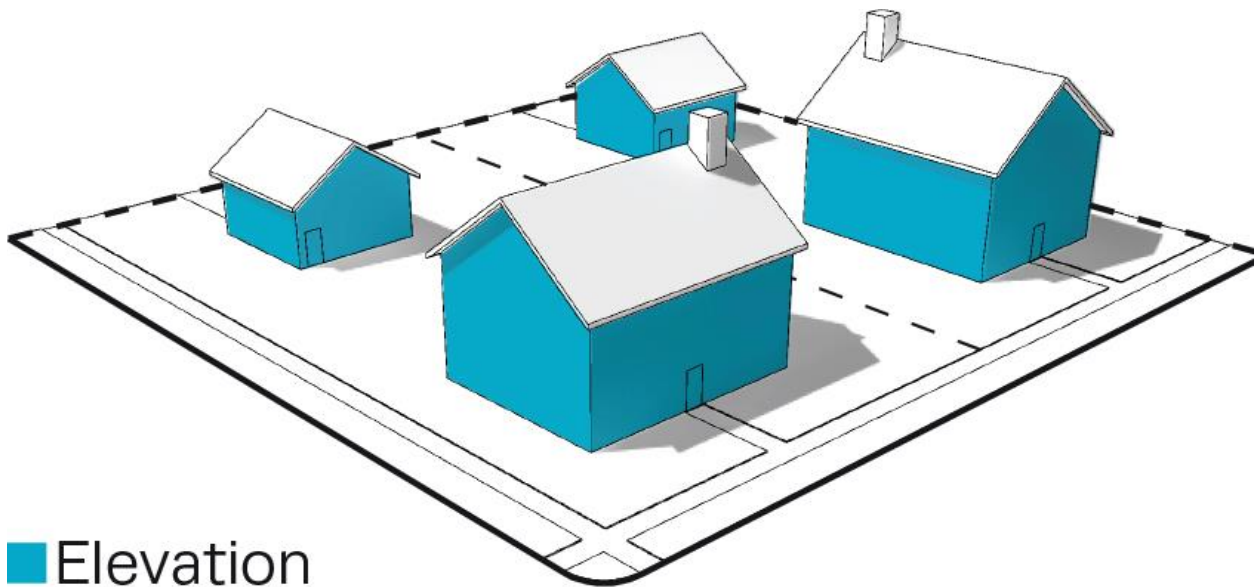
Effective Turning Radius: the measurement of the inside Turning Radius, taking parked cars into account.

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



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.

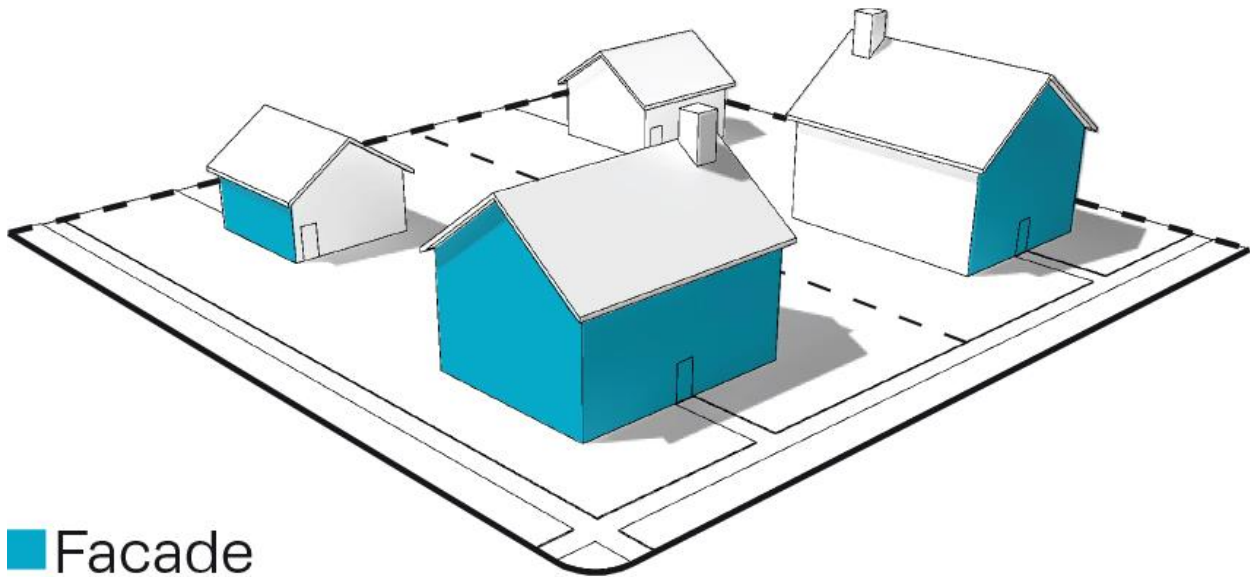
Exterior Architectural Appearance: the architectural character and general composition of the exterior of a Structure, including but not limited to the kind, color, and texture of the building materials and the type, design, and character of all windows, doors, light fixtures, Signs, and appurtenant 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 refractory 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



■ 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.

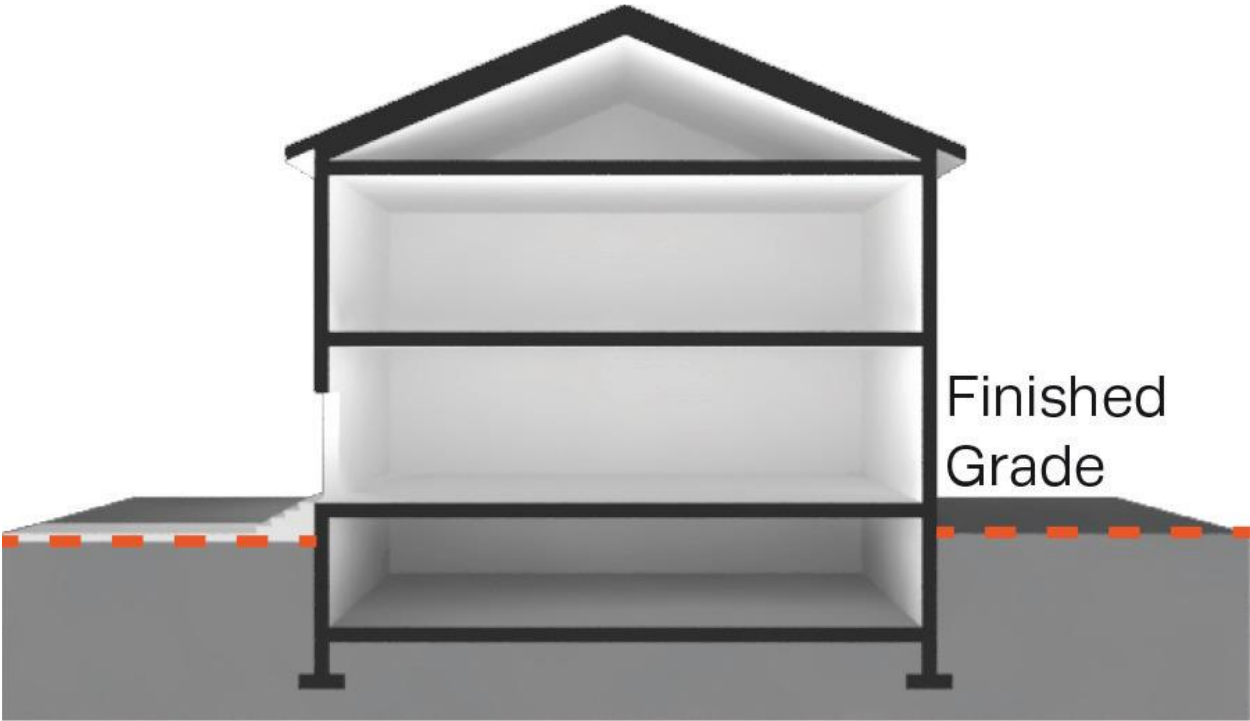
Final Plat: as defined in City Subdivision Regulation Section 2.3.

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:

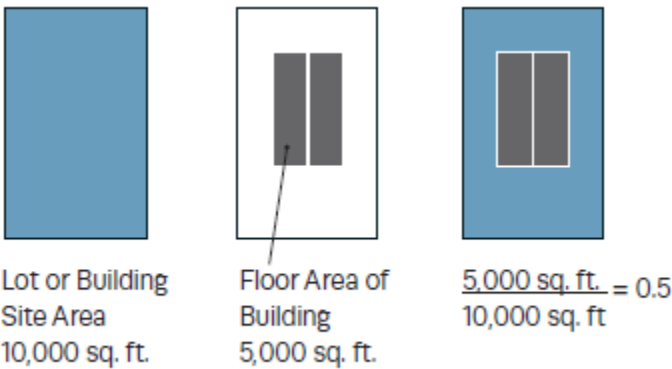
- (1) Areas used for off – street Parking spaces or loading berths and Driveways and maneuvering relating thereto where required by this Ordinance
- (2) In the case of Non-Residential facilities: arcades, porticoes, and similar open areas which are accessible to the general public, and which are not 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:

$$\frac{\text{Aggregate Floor Area}}{\text{Lot or Building Site Area}} = \text{Floor Area Ratio}$$

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.

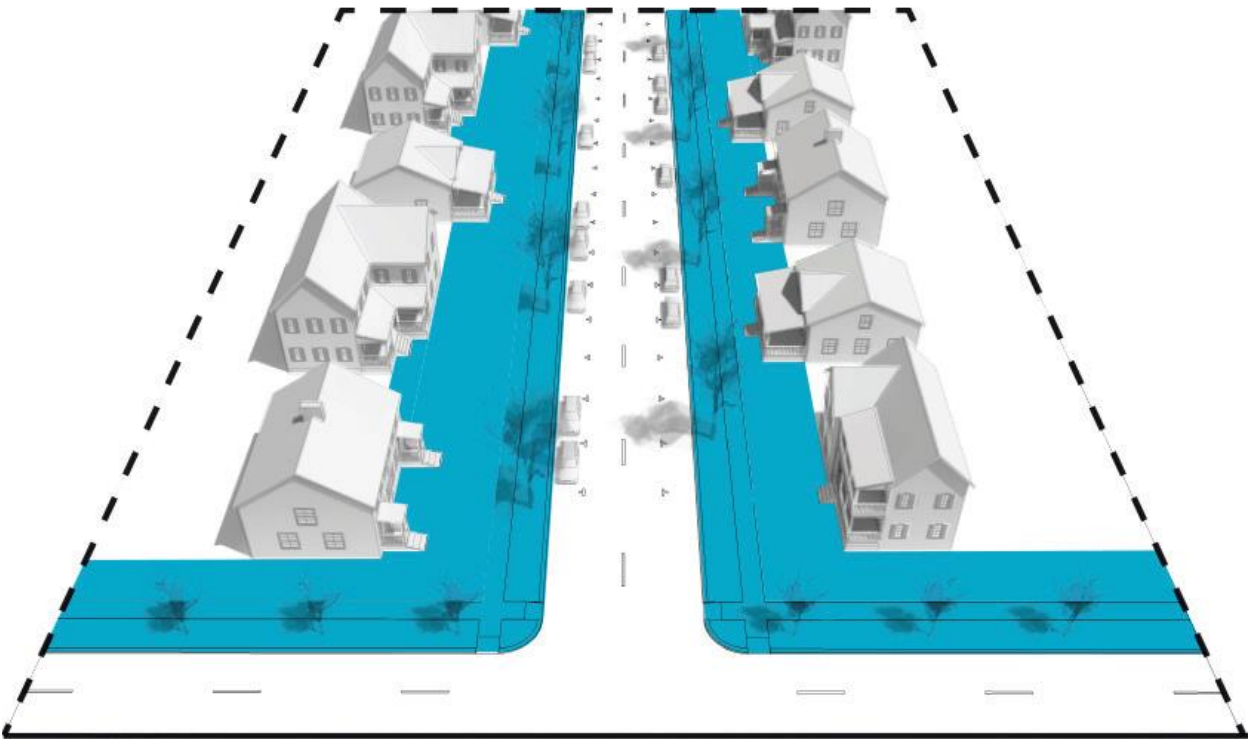
Food Truck Court: A parcel of land where two or more Mobile Vendors congregate to offer food and beverage for sale to the public as the principal use of the site, where permitted by Table 4.3.9.A-1. This definition shall not be interpreted to include a congregation of mobile food vendors as an accessory 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



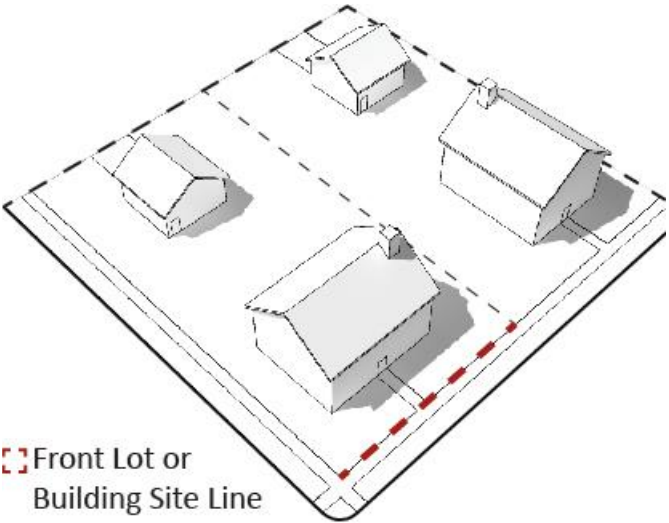
 Frontage

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.

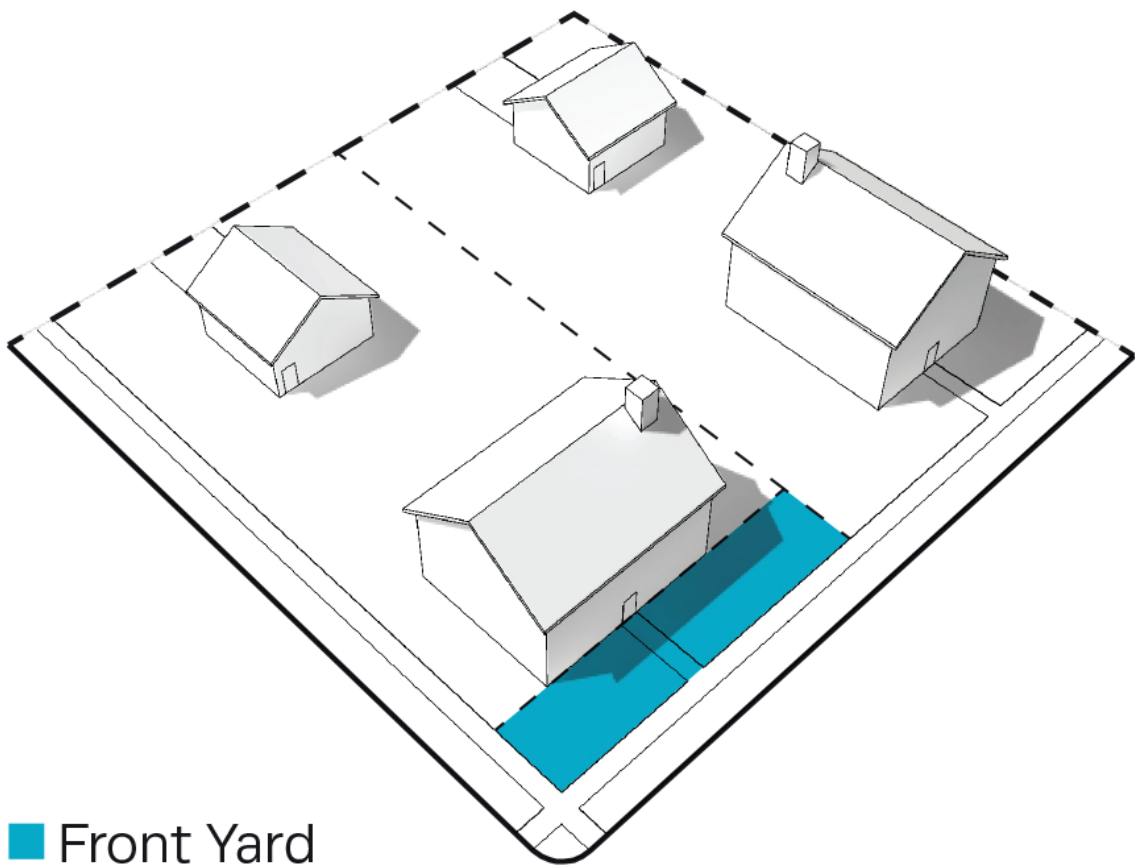
Front Lot or Building Site Line: the boundary at the front of a Lot or Building Site along the Thoroughfare right-of- way or Internal Drive. See Illustration 9.3.F-5 (Frontages and Lot or Building Site Lines).

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



■ Front 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.

1058

1059 **Future Land Use Character Area:** The general classification of land identified in the future land use
 1060 element of Connect Columbia, the comprehensive plan. The comprehensive plan indicates the
 1061 community's preference for general land use categories and desirable intensity of development
 1062 corresponding to each future land use character area. Connect Columbia also describes the typical
 1063 aesthetic and material qualities which provide distinctive character to each area. Each future land use
 1064 character area corresponds to one or more Character Areas or Special Districts as provided in Article 3.
 1065 The use, bulk, and design standards of this ordinance, when applied to specific properties, implement the
 1066 general future land use character area designations. The Planning Commission shall determine the pace
 1067 of implementation through the process of zoning map amendments (rezoning) described in Article 8.

1068

1069 **Gallery:** (1) with respect to the Frontage, the Private Frontage type conventional for Retail / Personal
 1070 Service/ Repair / Art / Artisan Use, wherein the Facade is aligned close to the Frontage Line with an
 1071 attached cantilevered shed or lightweight colonnade overlapping the Sidewalk (see Table 4.3.7.A (Private
 1072 Frontage Types);

1073

1074

1075

1076 (2) with respect to the Use of premises or part thereof, the collection and/or exhibition, and often the
 1077 sale, of works of art, photography, objects of permanent value, or artisan or cultural items.

1078

1079 **Garage:** an enclosed, detached Building, or an enclosed extension of a Principal Building, used for the
 1080 storage of one or more motor vehicles on a Lot or Building Site as an Accessory Use, provided that no
 1081 Business, occupation or service is conducted for profit therein.

1082

1083 ~~**General Plan:** the City Comprehensive Plan.~~

1084

1085 **Governmental Facility:** Governmental Offices and storage and other facilities for the operation of local,
 1086 state, or federal government. Examples are Courthouses, correctional facilities, jails, prisons, emergency
 1087 services, paramedic, fire department, and law enforcement facilities, and post offices. Educational Facility,
 1088 Maintenance Facility, Civic Spaces and Open Areas, solid or liquid waste transfer or composting and Utility
 1089 Facilities are not Governmental Facilities.

1090

1091 **Green:** a type of Civic Space for unstructured recreation, spatially defined by landscaping rather than
 1092 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.

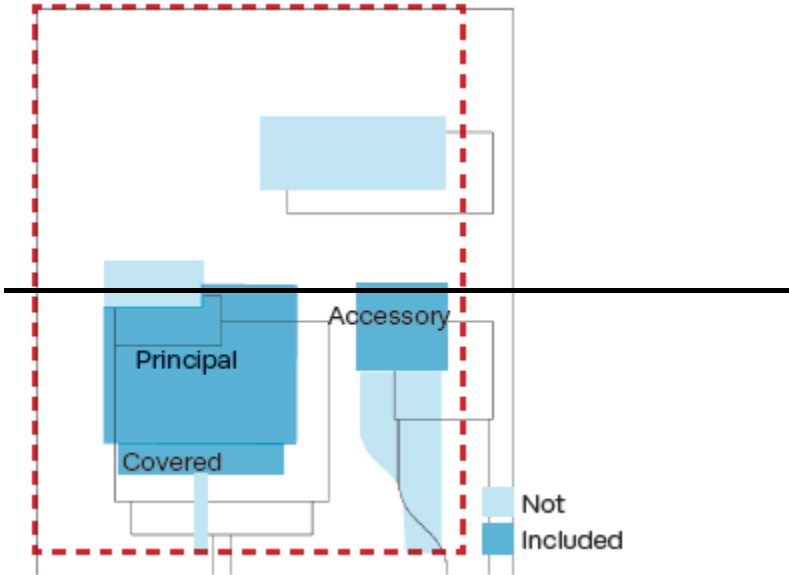
House Trailer: any Trailer designed to be used for living purposes with its wheels, roller or skids in place.

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.

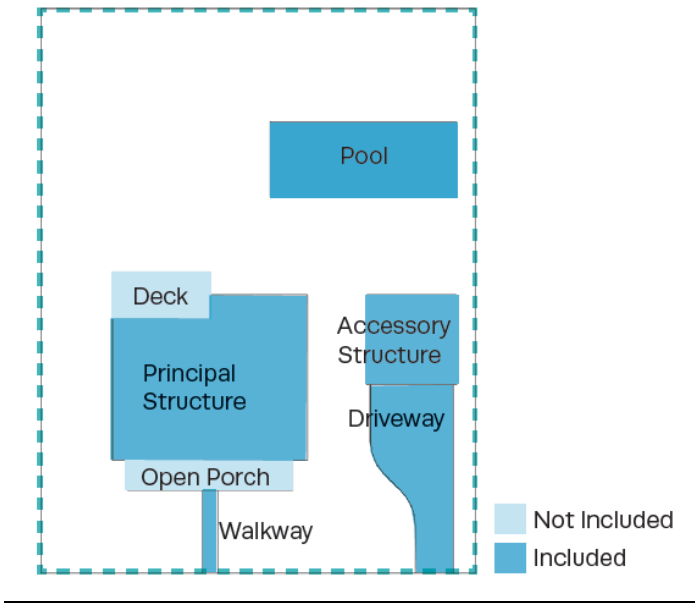
Identification Sign: a Sign that directs attention to a Business, profession, or Building with Multi-Family Residential Dwelling Units, which is conducted upon the same Lot, Building Site, or Development Site where such Sign is located.

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



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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;

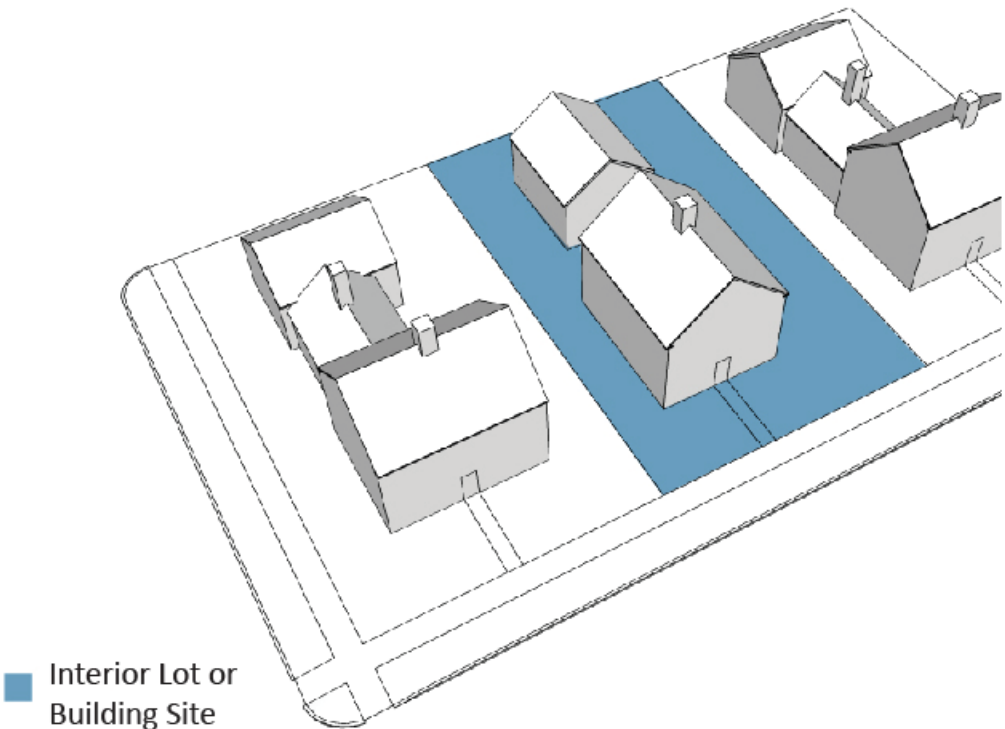
(2) Industrial Uses is the Use category, which is a collective reference to Uses in the following Use sub-Categories, as listed in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses) Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Temporary Uses): Heavy 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.

1394

1395 **Layer:** a range of depth of a Lot or Building Site within which certain elements are permitted. There are
1396 three Layers within each Lot or Building Site, as follows:

1397

1398 (1) First Layer: that portion of a Lot or Building Site bounded by

1399

1400 (a) the Side Lot or Building Site Lines,

1401

1402 (b) the Frontage Line, and

1403

1404 (c) the Facade of the Principal Structure, or, on a Secondary Frontage, a Building
1405 Elevation. Front Setback line or the line of the Setback Area or Street Yard
1406 furthest from the Frontage Line.

1407

1408 (2) Second Layer: that portion of a Lot or Building Site directly behind the First Layer and
1409 extending twenty (20) feet into the lot parallel to the Principal Frontage. ~~bounded by~~

1410

1411 ~~(a) the Side Lot or Building Site Lines,~~

1412

1413 ~~(b) the Front Setback line, and~~

1414

1415 ~~(c) a line which is 20 feet from and parallel to the Front Setback line or the line of the~~
1416 ~~Setback Area or Street Yard furthest from the Frontage Line.~~

1417

1418 ~~(3) Third Layer: that portion of a Lot or Building Site bounded by~~

1419 (3) Third Layer: that portion of a Lot or Building Site that is not within the First and Second
1420 Layer and is least visible from the Thoroughfare.

1421 ~~(a) the Side Lot or Building Site Lines,~~

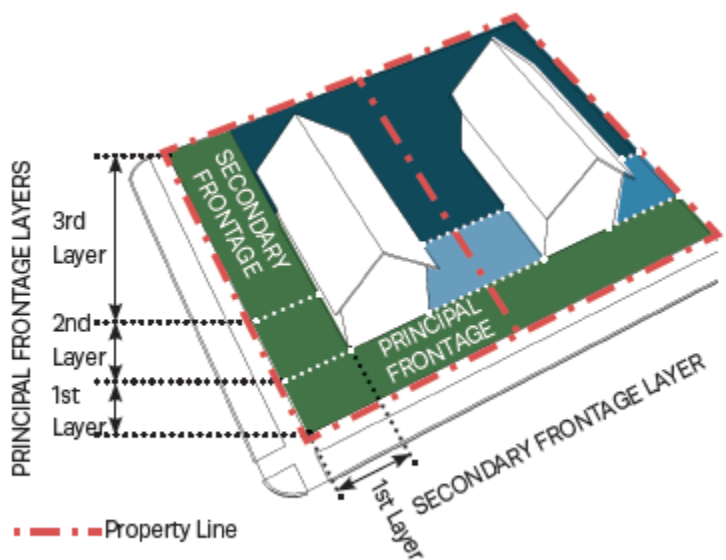
1422

1423 ~~(b) the Rear Lot or Building Site Line, and~~

1424

~~(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



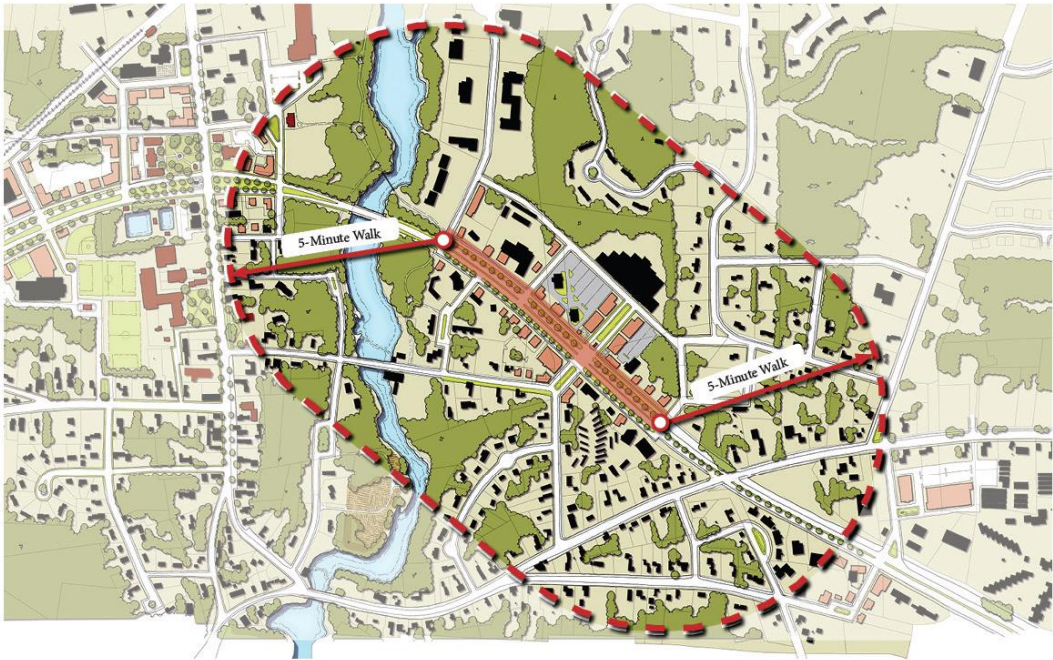
Library: a Building or part thereof containing collections of books, periodicals, and/or other media for Persons to read, borrow, or refer to.

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;

- 1446
- 1447 (3) does not pose any danger or hazard of fire or explosion or other physical hazard;
- 1448
- 1449 (4) does not generate, cause, disseminate, or discharge any pollution, material, dust, smoke, gas,
- 1450 fumes, odor, noise, heat, light, glare, or vibration beyond the Building Site on which the Building
- 1451 is situated;
- 1452
- 1453 (5) does not involve any Outside Storage;
- 1454
- 1455 (6) will not result in any unusual traffic hazard or congestion;
- 1456
- 1457 (7) does not require any water, air, or other environmental or pollution license or permit is required;
- 1458 and
- 1459
- 1460 (8) does not involve storage or use of highly flammable, toxic matter or explosive materials, or of
- 1461 Hazardous Materials;
- 1462 Not included in the Light Industrial Uses sub-category are:
- 1463 •(1)Heavy Industrial Uses;
- 1464 •(2)Manufacture and production of goods from composting organic material (see Waste-Related
- 1465 Service);
- 1466 •(3)Outdoor storage yard (see Warehousing and Freight Movement);
- 1467 •(4)Sale or rental of machinery, equipment, heavy trucks, building materials, special trade tools,
- 1468 welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and
- 1469 store fixtures (see Wholesale Sales); or
- 1470 •(5)Small-scale catering establishments (see Restaurants).
- 1471 See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses).
- 1472
- 1473 **Lightwell:** a Private Frontage type that is a below-grade entrance or recess designed to allow light into
- 1474 basements. See Table 4.3.7.A (Private Frontage Types).
- 1475 **Linear Pedestrian Shed:** a Pedestrian Shed that is elongated along an important Corridor. A Linear
- 1476 Pedestrian Shed extends approximately 1/4 mile from each side of the Corridor. The resulting area is
- 1477 oblong. See Illustration 9.3.L-1 (Linear Pedestrian Shed).
- 1478 **ILLUSTRATION 9.3.L-1 LINEAR PEDESTRIAN SHED**

1479



1480

1481 **Liner Building:** a Building that is a least 20 feet deep measured from the Façade, which masks a Parking
1482 Area, Parking Lot, or a Parking Structure from the Frontage. See Illustration 9.3.L-2 (Liner Building).

1483 ILLUSTRATION 9.3.L-2 LINER BUILDING

1484

1485 **Live / Work Building:** a small- to medium-sized attached or detached Principal Building type, which
1486 includes a flexible space for Commercial Use and an internally connected Residential Dwelling Unit above
1487 and/or behind the flexible space. See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal
1488 Building Types - Specific Standards).

1489

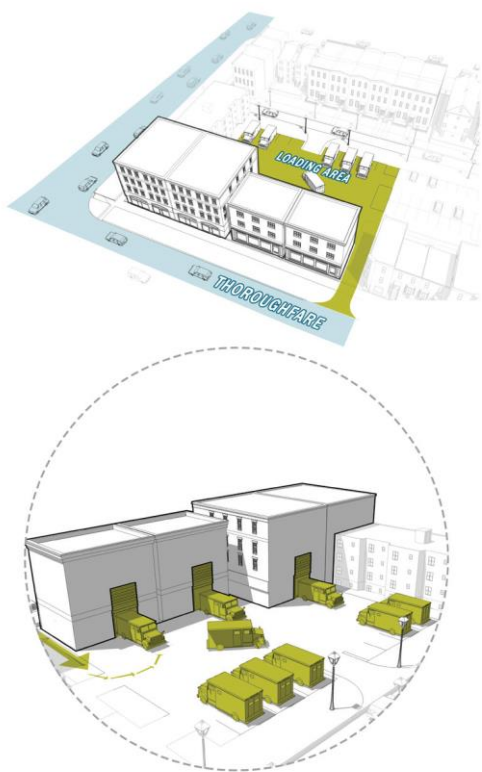
1490

1491

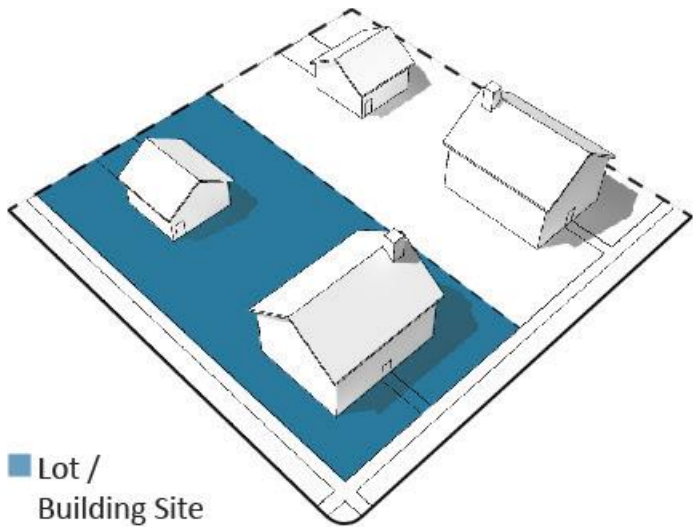
1492 **Living Room:** a room designed for general living purposes in a Dwelling Unit. Every Dwelling Unit shall be
1493 deemed to have a Living Room.

1494 **Loading Area:** an area on a Lot or rear Building Site with a Building or along the Thoroughfare or Internal
1495 Drive Abutting such Lot or rear Building Site, used for temporary parking of Commercial vehicles while
1496 loading or unloading goods. See Illustration 9.3.L-3 (Loading Area).

1497 ILLUSTRATION 9.3.L-3 LOADING AREA

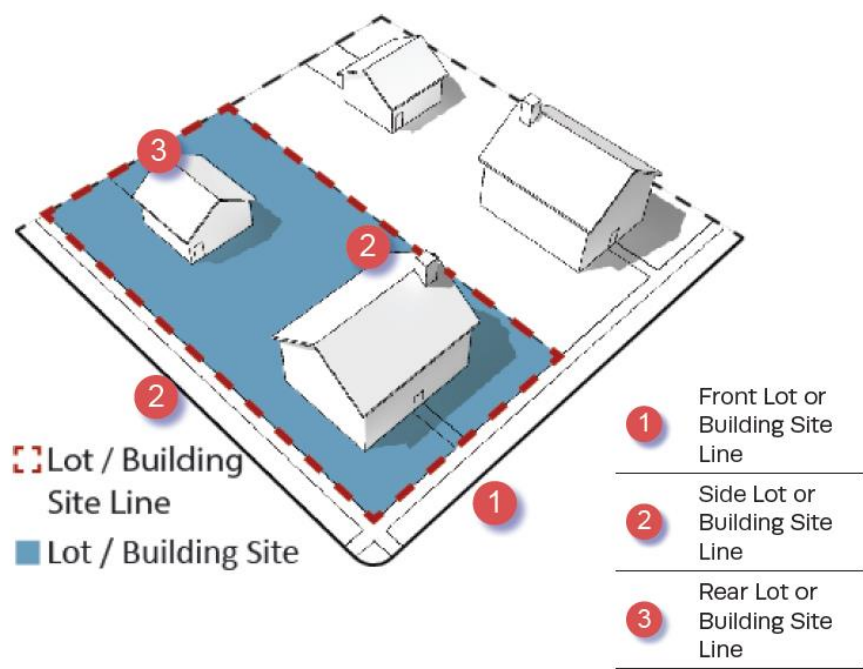


- 1498
- 1499 **Loading Space:** a space within a Loading Area that meets the design and dimensional requirements of
- 1500 Section 4.3.14.
- 1501
- 1502 **Long Term Care Facility:** premises at which living accommodations, bed care, boarding, in-patient service,
- 1503 and/or nursing or other medical care are provided for aged, infirm, disabled persons, persons or who are
- 1504 afflicted with or convalescing from any disease or ailment, or other persons requiring regular medical
- 1505 attention.
- 1506
- 1507 Long Term Care Facility does not include Rehabilitation Centers, Assisted Living Apartments, or facilities
- 1508 that provide surgical or emergency medical services, care for alcoholism, drug addiction, substance abuse,
- 1509 mental disease other than dementia, or communicable disease.
- 1510
- 1511 **Lot:** a parcel, plot, tract, or piece of land identified on and established by plat, subdivision, or as otherwise
- 1512 permitted by law, and recorded in the official records of the Maury County Register of Deeds, to be
- 1513 separately owned, used, Developed, or built on. See Illustration 9.3.L-4 (Lot / Building Site). See also
- 1514 “Building Site”, “Lot or Building Site of Record” and “Zoning Lot or Building Site”.
- 1515 **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



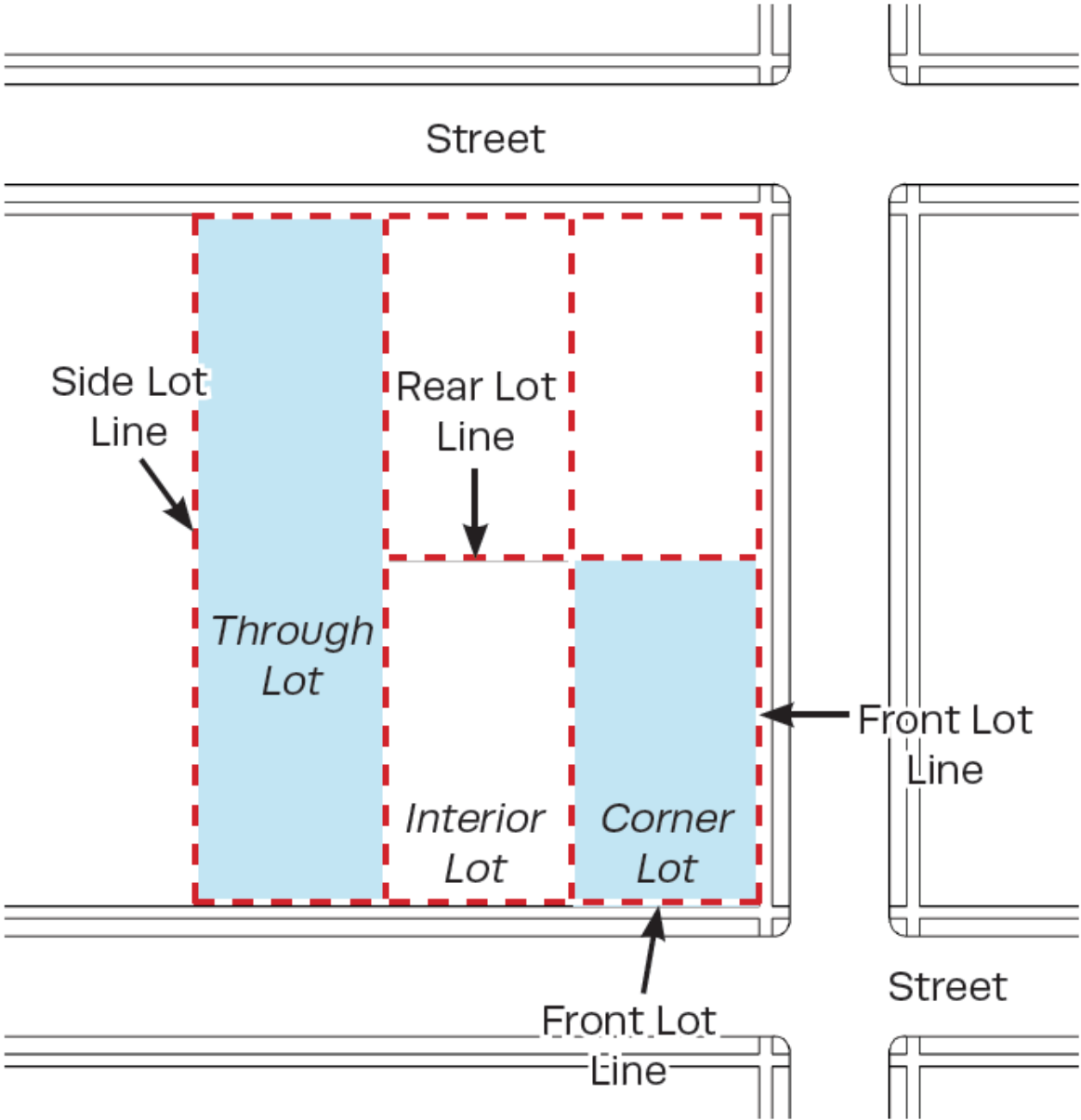
Lot or Building Site Width: the length of the Principal Frontage Line of a Lot or Building Site.

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.

1587 **Marquee Sign:** the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table
1588 7.1.2.B-2 (Sign Types - Specific Standards).

1589

1590 **Massage Studio:** an establishment at which manual manipulation of muscle, connective tissue, tendons,
1591 and/or ligaments is provided to enhance a Person's health and well-being.

1592

1593 **Massing:** the overall shape or arrangement of the Bulk or volume of a Building.

1594

1595 **Medical Office / Medical Clinic / Outpatient Clinic / Dental Office:** an Office or other premises for the
1596 private practice of health care or dental professionals licensed by the State, wherein a majority of patient
1597 encounters involve examination, diagnose is, treatment, or surgical procedures on an outpatient basis not
1598 extending beyond a 24 hour period.

1599

1600 **Medical Laboratory:** a facility where testing or observation of clinical specimens from which information
1601 about the health of a patient can be obtained in order to provide diagnosis, treatment , and/or prevention
1602 of disease.

1603

1604 **Meeting Hall:** a Building that provides accommodations as a Place of Assembly.

1605

1606 **Middle:** As used in the Façade standards of this Ordinance, all of the Façade which is visually defined by
1607 the Base and Cap of the building.

1608

1609 **Middle School:** premises at which Education is provided for children from Grade 5 through Grade 8.

1610

1611 **Mid-Rise Building:** an attached or detached Principal Building Type of 4 Stories, which may provide a
1612 vertical and/or horizontal mix of Uses, typically designed to facilitate pedestrian-oriented Retail / Personal
1613 Service/ Repair / Art / Artisan, Accommodation / Lodging, or Office Uses on the ground floor, with upper
1614 floors typically designed for Residential or Office Uses. See Table 4.3.8.A (Principal Building Types) and
1615 Table 4.3.8.B (Principal Building Types - Specific Standards).

1616

1617 **Mixed Use:** multiple Uses within the same Building or on the same Lot or Building Site through
1618 superimposition or Adjacency, or in multiple Buildings or on multiple Lots or Building Sites by Adjacency
1619 or proximity.

- 1620
- 1621 **Mixed-Use Building:** a typically attached Principal Building Type, which provides a vertical and/or
 1622 horizontal mix of Uses typically designed to facilitate pedestrian-oriented Retail / Personal Service / Repair
 1623 / Art / Artisan, Accommodations / Lodging, or Office Uses on the ground floor, with upper floors typically
 1624 designed for Residential or Office Uses. See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B
 1625 (Principal Building Types - Specific Standards).
- 1626
- 1627 **Mobile Vending:** any temporary activity which includes preparation, assembly, or display of items with
 1628 the intent to sell such items to the general public (excluding produce stands).
- 1629
- 1630 **Mobile Vending Apparatus:** Any vehicle, trailer, cart, table, tent or other equipment utilized for Mobile
 1631 Vending.
- 1632
- 1633 **Monument Sign:** the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table
 1634 7.1.2.B-1 (Sign Types - Specific Standards).
- 1635
- 1636 **Motel:** an establishment where short-term Accommodation / Lodging in guest rooms is offered for
 1637 compensation and one or more rooms are accessed by exterior doors opening directly to exterior Parking
 1638 accommodations, passageways, or the outdoors. Neither a Hotel, Extended Stay Hotel, or unit therein,
 1639 nor a Short- Term Rental Unit is a Motel.
- 1640
- 1641 **Motor Vehicle:** every vehicle that is self-propelled by a motor, which can be licensed and registered to be
 1642 driven on public streets, roads or rights-of-ways, and every vehicle that is propelled by electric power
 1643 obtained from overhead trolley wires, but not operated upon rails.
- 1644
- 1645 Examples are passenger vehicles, trucks, motorcycles and other consumer motor vehicles, and motorized
 1646 Recreational Vehicles.
- 1647
- 1648 This term does not include Boats or other watercraft, non-motorized Recreational Vehicles, Manufactured
 1649 Homes, or Farm and Construction Equipment.
- 1650
- 1651 **Motor Vehicle Body Shop:** premises or a portion of premises used for the adjustment, painting,
 1652 replacement of parts, or body repair of Motor Vehicles.

1653

1654 Motor Vehicle Maintenance, Repair, Fuel Sales, Service, or Cleaning: a Structure, premises, or
 1655 establishment in or on which Motor Vehicles are maintained, repaired, serviced, re-fueled, and/or
 1656 cleaned, including without limitation, incidental storage for fewer than sixty (60) days of Motor Vehicles
 1657 that are being maintained, repaired, serviced, and/or cleaned.

1658

1659 Examples are car wash, full vehicle service including alignment shop, auto upholstery shop, towing service,
 1660 limited vehicle service including auto detailing, auto repair, battery sales and installation, fuel sales, quick
 1661 lubrication facilities, and tire services.

1662

1663 This term does not include Parking Lots, Parking Structures, Motor Vehicle Storage, Motor Vehicle Body
 1664 Shop, Motor Vehicle Parts Sales, or Convenience Store with Gasoline Sales (see Retail Sales and Service).

1665

1666 **Motor Vehicle Parts Sales:** a Structure, premises, or establishment in, from, or on which Motor Vehicle
 1667 parts other than tires are sold, either at Retail or Wholesale.

1668

1669 **Motor Vehicle - Related Sales and Service:** Motor Vehicle Body Shop, Motor Vehicle Maintenance, Repair,
 1670 Service, Fuel Sales, or Cleaning, Motor Vehicle Parts Sales, Motor Vehicle Sales, Rental, or Leasing, and
 1671 Motor Vehicle Storage.

1672

1673 **Motor Vehicle - Related Uses:** the term collectively referring to Motor Vehicle Body Shop, Motor Vehicle
 1674 Maintenance, Repair, Fuel Sales, Service, or Cleaning, Motor Vehicle Parts Sales, Motor Vehicle Sales,
 1675 Rental, or Leasing, and Motor Vehicle Storage. See Table 4.3.9.A-1 (Building, Lot & Building Site Principal
 1676 Uses).

1677

1678 **Motor Vehicle Sales, Rental, or Leasing:** a Structure, premises, or establishment in or on which Motor
 1679 Vehicles are sold, rented, leased, or chartered, including incidental storage, maintenance, and servicing
 1680 as an Accessory Use.

1681

1682 **Motor Vehicle Storage:** long or short term storage of operating Motor Vehicles. This term excludes
 1683 Parking Lots, Parking Structures, Impound Yards, Towing Facilities, and any dismantling, Scrap and Salvage
 1684 Yards/Service, or Junkyards.

1685

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).

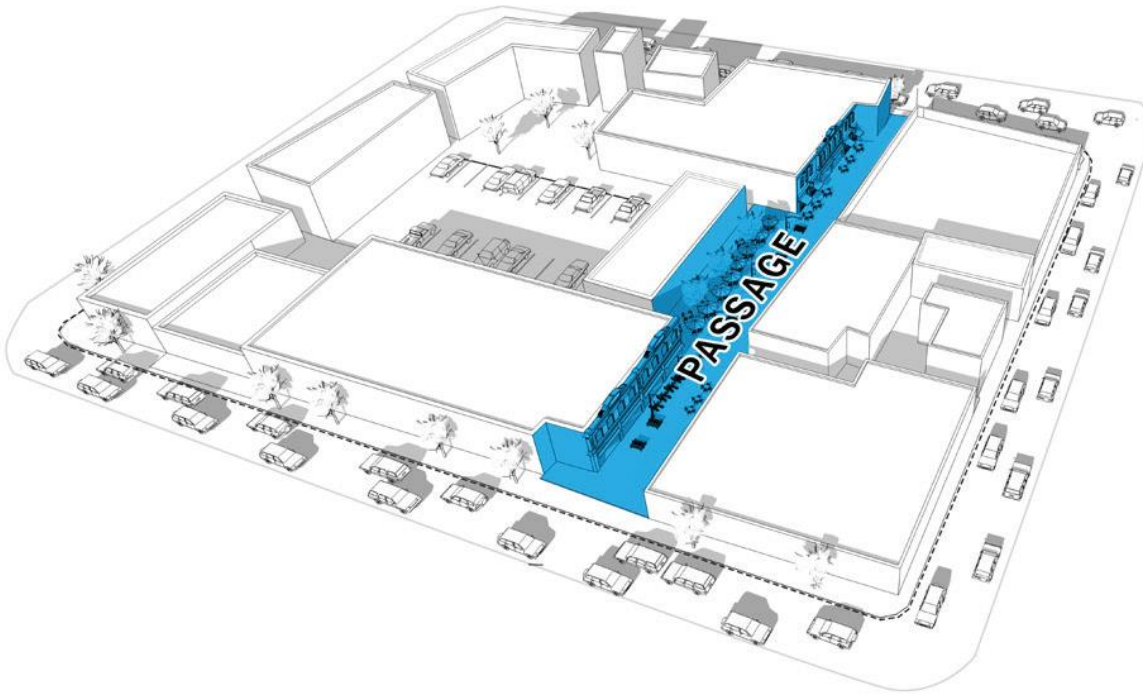
Parking Space: an area required or provided for Parking a vehicle, meeting the requirements of Section 4.3.12.

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



1869

1870

1871 **Passive Recreation:** outdoor recreational activities, such as nature observation, hiking, and canoeing or
 1872 kayaking, which require a minimum of facilities or Development and which have minimal environmental
 1873 impact on the recreational site.

1874

1875 **Path (PT):** a pedestrian way traversing an open greenspace with a minimum area of 5,000 square feet
 1876 Park, with landscape matching ~~the~~ contiguous Civic Space, ~~ideally~~ connecting directly with the urban
 1877 Sidewalk network.

1878

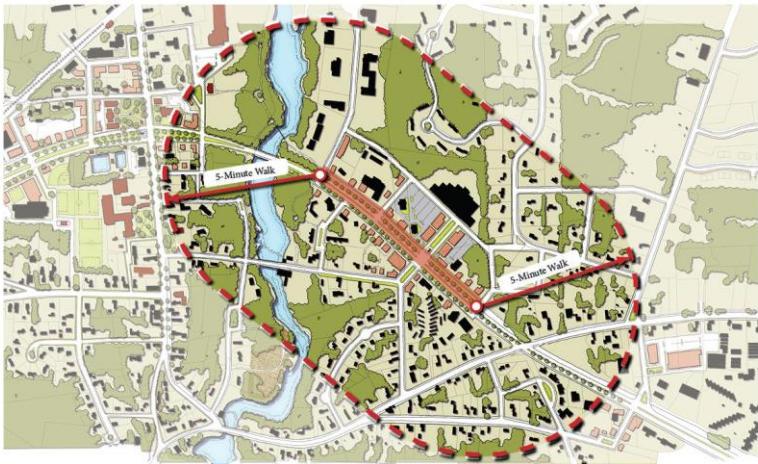
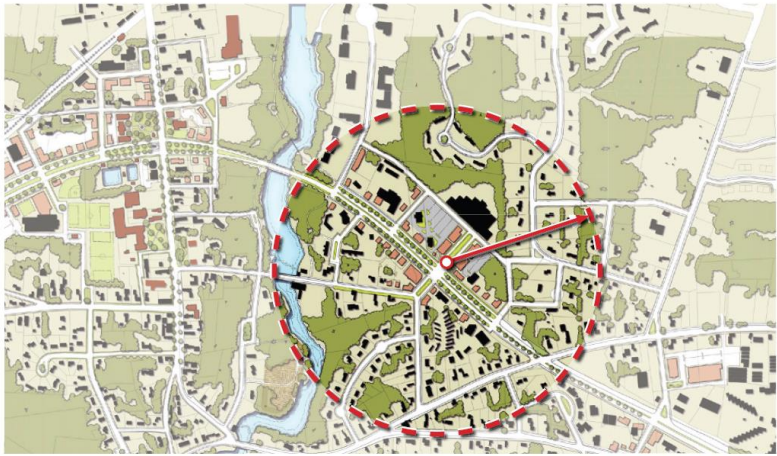
1879 **Pawnshop:** a Business that lends money based upon the security of pledged goods left in pawn, or that is
 1880 in the Business of purchasing tangible personal property to be left in pawn on the condition that it may
 1881 redeemed or repurchased by the seller for a fixed price within a fixed period of time. See also, Short-Term
 1882 Lender.

1883

1884 **Pedestrian Shed:** an area of a size approximately equal to the average distance comfortably walked by
 1885 pedestrians and approximately centered on a Common Destination. There are two types of Pedestrian
 1886 Sheds: Standard Pedestrian Sheds and Linear Pedestrian Sheds. See “Standard Pedestrian Shed” or “Linear
 1887 Pedestrian Shed”. See Illustration 9.3.P-2 (Pedestrian Sheds).

1888

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.

1935 **Placement:** with respect to a Building, the manner in which the Building is situated on the Lot or Building
 1936 Site. See “Layers”, Illustration 9.3.L-5 (Layers); see also “Setback”, and “Yard” and Illustration 9.3.S-2
 1937 (Setbacks and Yards).

1938

1939 **Plan:** a Development Plan, Master PUD Development Plan, site plan, Landscape Plan, Sign Plan, or any
 1940 other plan submitted or prepared pursuant to this Ordinance.

1941

1942 **Planned Unit Development:** See Section 8.5.21.

1943

1944 **Planned Unit Development District:** one of the several Districts listed as such in Section 3.7.C. See also
 1945 Section 8.5.21.

1946

1947 **Planning Commission:** the Planning Commission of the City.

1948

1949 **Planning Director:** the City Director of Planning and Development.

1950

1951 **Planter:** the element of the Public Frontage that accommodates trees along Thoroughfares and Internal
 1952 Drives, whether continuous or individual.

1953

1954 **Plaque Sign:** the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-
 1955 2 (Sign Types - Specific Standards).

1956

1957 **Playground:** a Civic Space type, described as such in Table 5.3.3.A (Civic Space Types - Summary) and Table
 1958 5.3.3.B (Civic Space - Specific Standards).

1959

1960 **Plaza:** a Civic Space type described as such in Table 5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B
 1961 (Civic Space - Specific Standards).

1962

1963 **Police Station:** premises accommodating operations of law enforcement officers and other members of
 1964 staff.

1965

1966 **Porch:** a Private Frontage type, having a planted Frontage, the Facade is set back from the Frontage Line,
 1967 and an attached exterior covered area large enough to accommodate outdoor furniture and/or gathering,
 1968 which is permitted to Encroach into the Front Setback, Setback Area, or Street Yard. This may be used
 1969 with or without a Fence to maintain Thoroughfare spatial definition. A Stoop is not a Porch. See Table
 1970 4.3.7.A (Private Frontage Types).

1971

1972 **Porch Sign:** the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-
 1973 2 (Sign Types - Specific Standards).

1974

1975 **Portable Sign:** a Sign the principal supporting Structure of which is intended, by design and construction,
 1976 to be used by resting upon the ground for support and may be easily moved or relocated. Portable Signs
 1977 include, but are not limited to, Signs mounted on a Trailer, wheeled carrier, or other non-motorized
 1978 mobile structure, with wheels or with wheels removed.

1979

1980 **Post Office:** premises operated by or under contract for the United States Postal Service at which letters,
 1981 parcels, packages or other mail may be received, deposited, processed, sorted, and/or handled and/or
 1982 postage may be purchased.

1983

1984 **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
 1985 (Sign Types - Specific Standards)

1986

1987 **Pre-School:** a school, licensed by the State, with an accredited training program and staffed with certified
 1988 teachers, providing day time care or instruction for two (2) or more children between the ages of two (2)
 1989 and five (5) years old. Synonymous with Nursery School.

1990

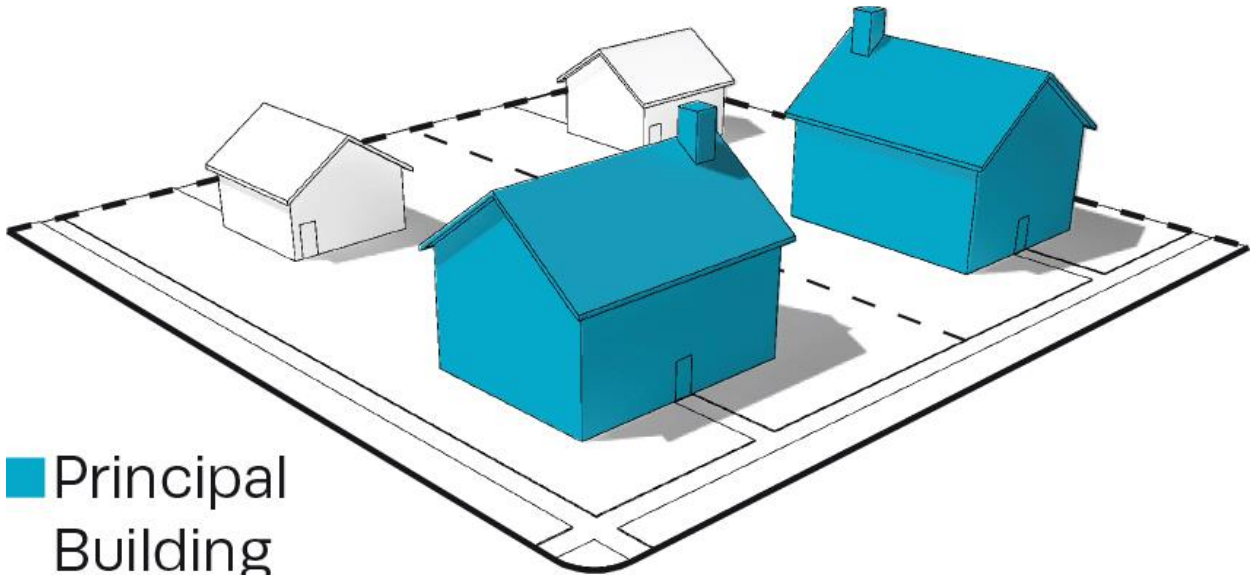
1991 **Preliminary Plat:** as defined in City Subdivision Regulation Section 2.2.

1992

1993 **Principal Building:** the main Building on a Lot or Building Site, located toward the Frontage, in which is
 1994 conducted a Principal Use of such Lot or Building Site. See Illustration 9.3.P-3 (Principal Building).

1995

1996 **ILLUSTRATION 9.3.P-3 PRINCIPAL BUILDING**

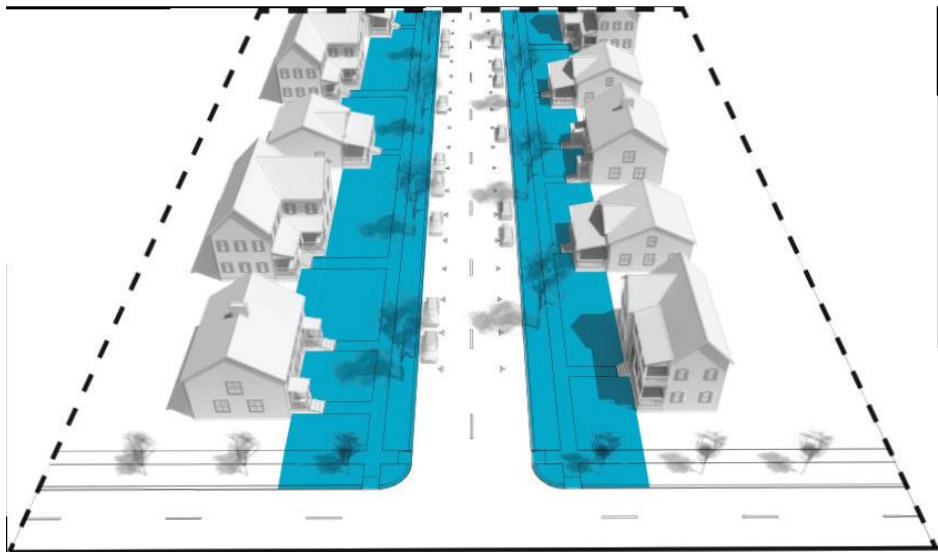


■ Principal Building

1997
1998
1999 **Principal Entrance:** the main point of access for pedestrians into a Building; the Main Entrance. A building
2000 may have more than one Principal Entrance.

2001
2002 **Principal Frontage:** with respect to: (a) Corner Lots or Building Sites, the Frontage designated to bear the
2003 address and Principal Entrance to the Building, and the measure of minimum Lot or Building Site Width;
2004 and (b) non-Corner Lots or Building Sites, the Frontage. See “Frontage”. See Illustration 9.3.P-4 (Principal
2005 Frontage).

2006 ILLUSTRATION 9.3.P-4 PRINCIPAL FRONTAGE



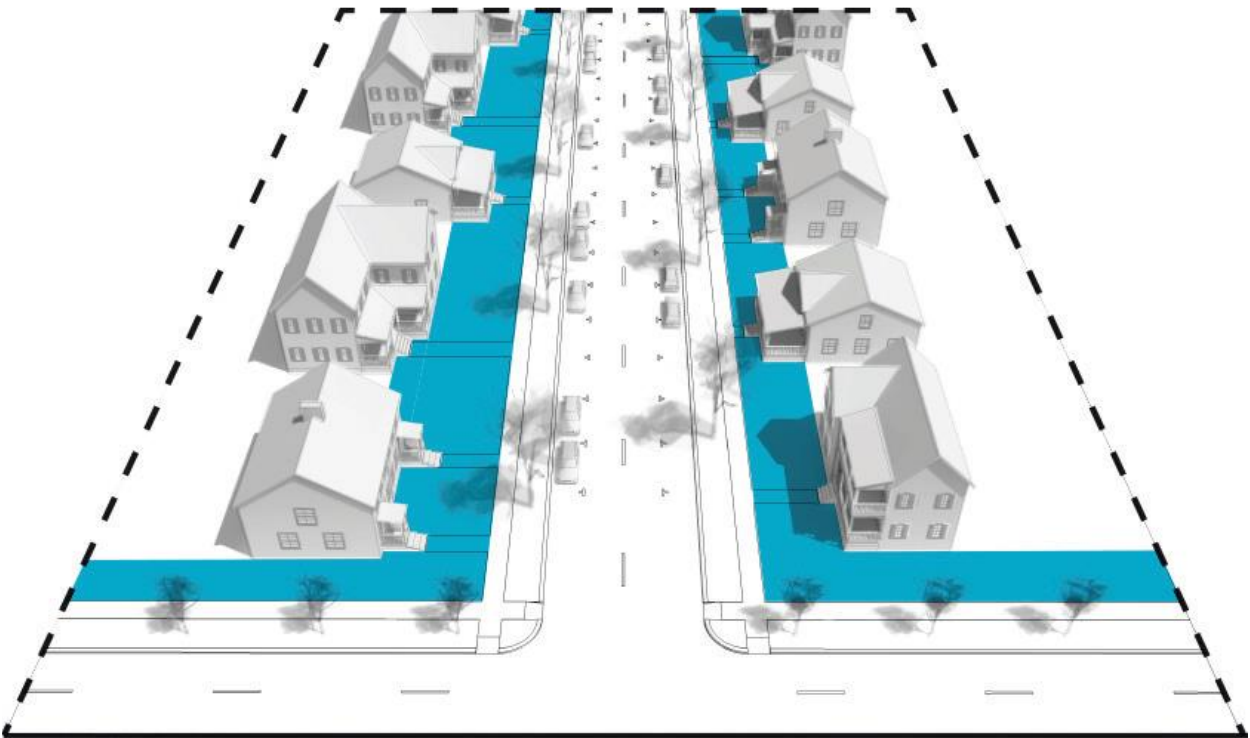
■ Principal Frontage

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



■ Private Frontage

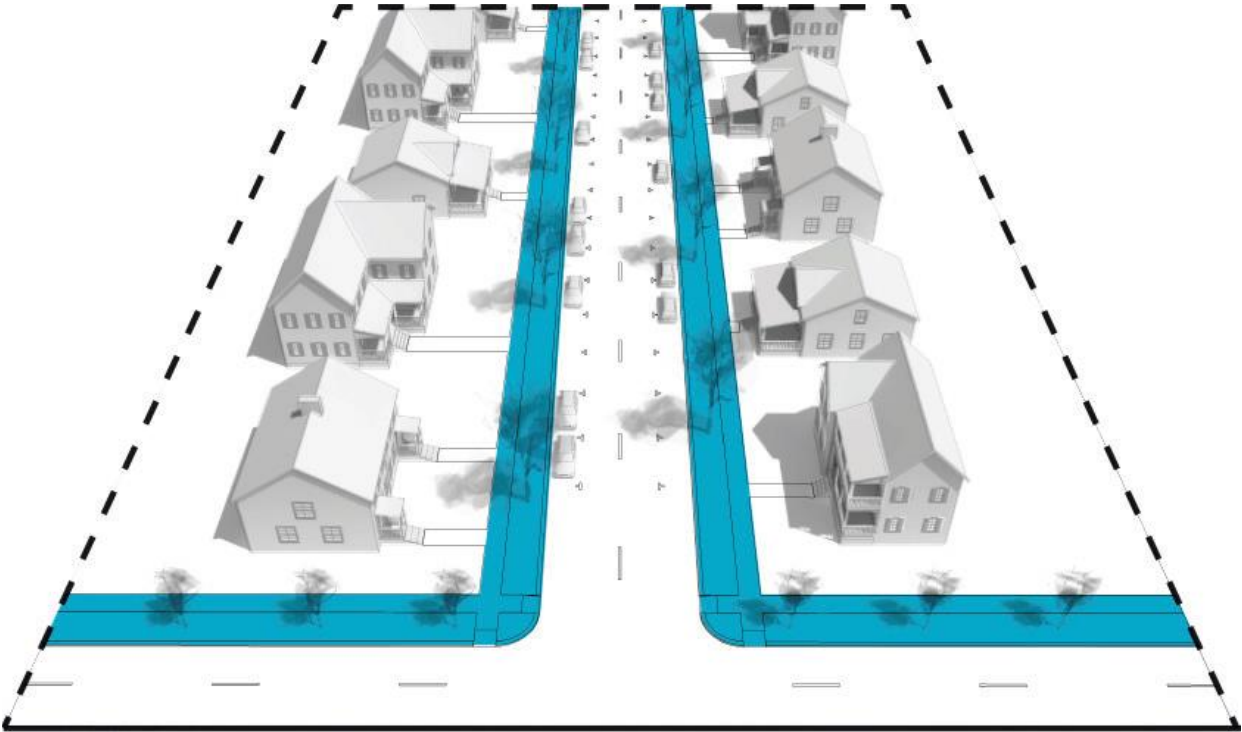
Public Frontage: the area between the Frontage Line and:

- (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



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.

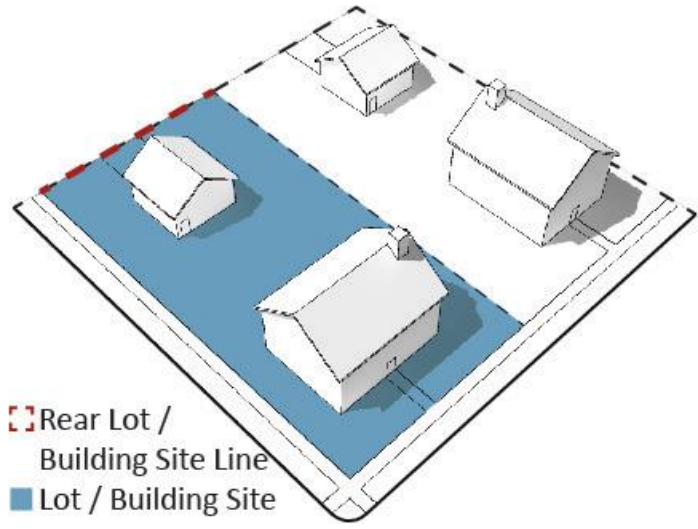
Public Meeting: a duly convened meeting of a Decision- Making Authority as contemplated under applicable state law, including public meetings, public hearings, workshops, and site visits.

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

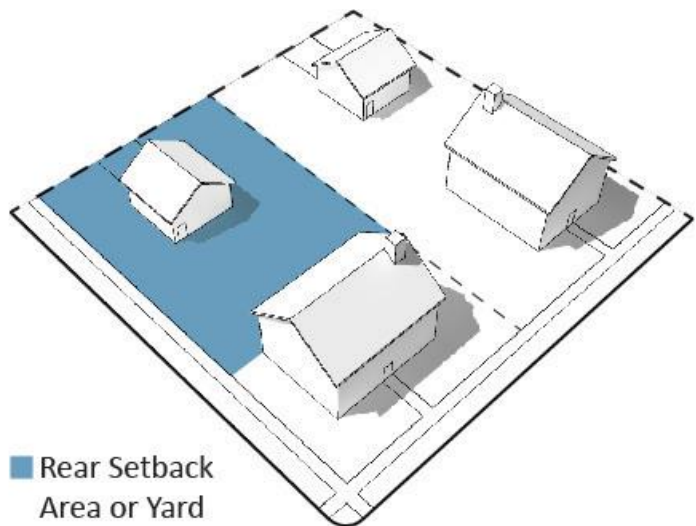


Rail Equipment Storage / Repair: Use involving premises for storing or repairing locomotives, rail cars, or other rail vehicles.

~~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;

2085

2086 (3) designed to be self – propelled or permanently towable by a light duty truck: and

2087

2088

2089

2090 (4) designed primarily for use as a non – permanent dwelling but as temporary living quarters for
2091 recreational, camping, vacation, travel, or seasonal use. The term includes camping Trailer, motor
2092 home, travel Trailer, and truck campers.

2093 Recreational Vehicle does not include Manufactured Homes.

2094

2095 **Recreation and Entertainment, Indoor:** participatory and spectator-oriented Recreation activities
2096 conducted within an enclosed Building, including without limitation billiard rooms, bowling centers, ice or
2097 roller skating rinks, Shooting Ranges, Theater, and arcades.

2098

2099 **Recreation and Entertainment, Outdoor:** participatory and spectator-oriented Recreation activities
2100 conducted in open, partially enclosed, or screened facilities, including without limitation amusement
2101 parks, fairgrounds, golf courses and driving ranges, and go-cart tracks.

2102

2103 **Recycling Collection Facility:** a facility used for the collection and transfer, but not the actual processing,
2104 of any of the following recyclable materials: glass, paper, plastic, cans, or other source-separated, non-
2105 decayable materials. Recyclable materials at a Recycling Collection Facility must not include motor oil,
2106 chemicals, household appliances, tires, automobiles, automobile parts, or decayable materials.

2107

2108 **Rehabilitation Facility:** a facility operated for the primary purpose of assisting in the rehabilitation of
2109 individuals through an integrated program of medical, psychological, physical, occupational, substance,
2110 social, or vocational evaluation and services under competent professional supervision.

2111

2112 **Religious Facilities:** facilities used by a non-profit group or institution for organized religious services,
2113 meetings, assembly, practice, activities, and supporting uses.

2114

2115 Examples are Places of Worship, church, mosque, synagogue, temple, monastery, convent, retreat center
2116 or any permanent or temporary Structure providing regular, organized religious worship of any
2117 denomination and religious education incidental thereto. A property tax exemption for a religious group

2118 or institution obtained pursuant to state law shall constitute prima facie evidence of a Religious Facilities
2119 Use.

2120

2121 Athletic, tennis, swim or Health Club (see Retail Sales and Service), Educational Uses, Day Care facilities,
2122 for distribution or production of products, including printed matter, for groups other than immediate
2123 membership, public neighborhood arts center or similar community facility (see Community Service),
2124 community center, revival or gospel tent, senior center (see Community Service), Social service facility
2125 (see Social Service Institution), and Treatment center, transient lodging, or shelter for the homeless (see
2126 Social Service Institutions) are not included in this Use Category.

2127

2128 **Required Yard or Setback Area:** a Yard or Setback Area required by this Ordinance, which is open and
2129 unobstructed from 30 inches above the general ground level of the graded lot upward to the sky except
2130 as permitted in Section 4.3.10 and no part of which is included as part of a Setback, Setback Area, or Yard
2131 for any other Building.

2132

2133 **Research Laboratory:** premises that contain research, development, and testing laboratories that do not
2134 involve the mass manufacture, fabrication, processing, or sale of products Such Uses must not be
2135 detrimental to the environment through the release of dust, smoke, fumes, odor, noise, or vibration and
2136 must not create an unsafe risk of fire or explosion given the location of the use, the Building in which it is
2137 located, and the nature of the surrounding Uses and Structures.

2138

2139 **Residence:** a Building or part of a Building containing one or more Dwelling Units or Rooming Units,
2140 including Single – Family or Two – Family Dwellings, Multi-Family Dwellings, Boarding Houses, Rooming
2141 Houses, or residence- apartment hotels. Residences shall not include:

2142

2143 (1) Transient accommodations, such as Transient hotels, Motels, or similar establishments;

2144

2145 (2) Dormitories, fraternity or sorority houses, monasteries, or convents, or similar establishments
2146 containing Group Living or sleeping accommodations;

2147

2148 (3) Nurses' residences, sanitariums, nursing homes, convalescent homes, rest homes, or other
2149 sleeping or living accommodations in community facility buildings or portions of buildings used
2150 for community facilities; or

2151

(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

2221 and Construction Equipment, or other equipment, building materials, special trade tools, welding
2222 supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures
2223 (see Wholesale Trade).

2224

2225 **Retail Food Sales:** the sale of food for off-premises consumption, excluding Restaurants.

2226

2227 **Retail Membership Club:** a discount Retail establishment that sells merchandise to its members.

2228

2229 **Rezoning:** A change in the district boundaries or district classifications of the zoning map pursuant to
2230 Section 8.5.19. For the purposes of this Ordinance, rezoning also includes the initial zoning of a property
2231 that occurs with annexation.

2232 ~~reassignment of the District applicable to land pursuant to Section 8.5.19.~~

2233

2234 **Right-of-Way Line:** a line contiguous with a Lot or Building Site Line, dividing a Lot or Building Site from
2235 an Abutting Thoroughfare or Internal Drive.

2236

2237 **Road (RD):** a local, rural and suburban Thoroughfare or Internal Drive of low-to-moderate vehicular speed
2238 and capacity, described as such in Table 5.3.3.F (Thoroughfare / Internal Drives Types – Summary) and
2239 Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies and Standards).

2240

2241 **Roadside Stand:** a small open air Structure for the Retail sale of produce or other goods grown or
2242 produced on the property where the Roadside Stand is located. Roadside Stand does not include Farmer's
2243 Markets or Outdoor Markets.

2244

2245 **Rooming House:** a Residential type in a private Dwelling in which at least three (3) but not more than six
2246 (6) rooms are offered for rent, payable in money and/ or other consideration, whether or not table board
2247 is furnished to roomers, and in which no Transient guests are accommodated and no Restaurant is
2248 maintained for service to any Persons who are not residents of the Rooming House.

2249

2250 **Rooming Unit:** a unit of Residential occupancy.

2251

2252 **Rowhouse:** ~~a Building in a collection of very narrow- to medium-sized attached Buildings on contiguous~~
2253 ~~Lot or Building Sites with a Rearyard (and Sideyard if an end unit), which collection consists of side-by-~~
2254 ~~side Dwelling Units with individual entries facing a Thoroughfare or Internal Drive. Each Building and any~~

2255 ~~Side Setback Area or Side Yard or occupy the full Frontage Line of its Lot or Building Site and shares at~~
 2256 ~~least one Party Wall with another Building of the same type. See Table 4.3.8.A (Principal Building Types)~~
 2257 ~~and Table 4.3.8.B (Principal Building Types – Specific Standards). Townhouse Building Type described as such~~
 2258 ~~in Table 4.3.8.B (Principal Building Types).~~
 2259

2260 **School:** Business or Trade School, College / University, High School, Middle School, Pre-School or Nursery
 2261 School, Primary or Elementary School, or Secondary School.

2262

2263 **School, Primary or Elementary:** See “Primary or Elementary School”.

2264

2265 **School, Secondary:** See “Secondary School”.

2266

2267 **Scrap or Salvage Yard / Service:** a Use, other than an Impound Yard or Towing Facility, in which an
 2268 establishment is engaged primarily in the sale, storage, assembling, dismantling, sorting, distributing, or
 2269 other processing of scrap, used equipment, mechanical components, or waste materials, including a
 2270 Junkyard.

2271

2272 **Screen/Screening:** (1) used as a verb, to block an item or condition from view from a vantage point in
 2273 accordance with the requirements of this Ordinance by interposition of a Building, Building Element, Wall
 2274 or Fence constructed of an opaque material, or an evergreen hedge; or

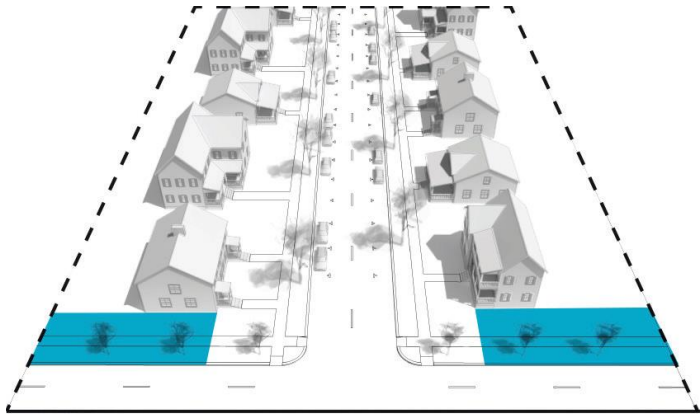
2275

2276 (2) used as a noun, a Building, Building Element, Wall or Fence constructed of an opaque material or an
 2277 evergreen hedge, which blocks an item or condition from view from a vantage point, as required by this
 2278 Ordinance. Not synonymous with Streetscreen.

2279

2280 **Secondary Frontage:** on Corner Lots or Building Sites, the Frontage that is not the Principal Frontage. See
 2281 Illustration 9.3.S-1 (Secondary Frontage).

2282 **ILLUSTRATION 9.3.S-1 SECONDARY FRONTAGE**



■ 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:

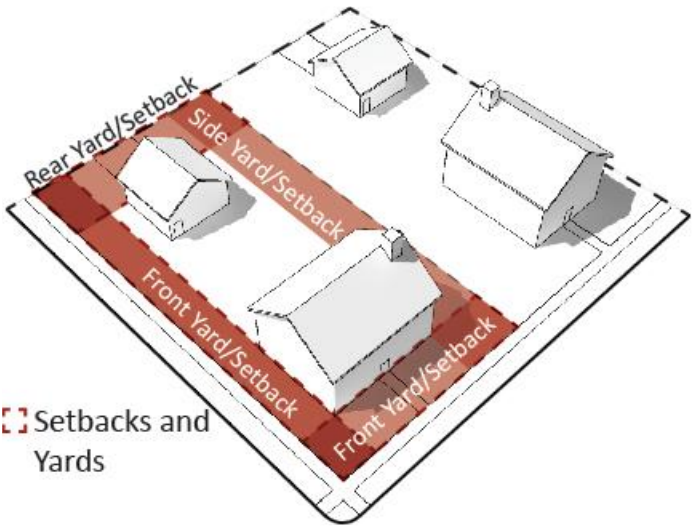
Rental of light or medium trucks, storage area used for Manufacturing use, storage area used for sales, service, and repair operations, and transfer and storage Business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred.

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

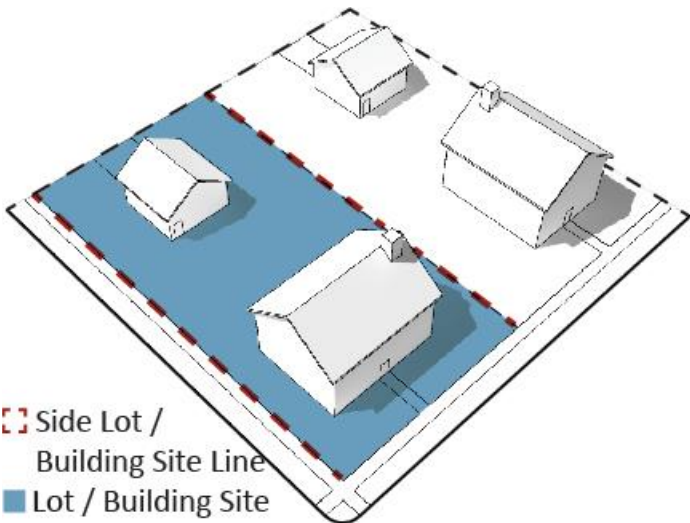
Line with the Building entrance at Sidewalk grade. This Frontage has substantial glazing at the Sidewalk level and may include an awning overlapping the Sidewalk. See Table 4.3.7.A (Private Frontage Types).

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



2354

2355 **Side Setback, Setback Area or Yard:** the portion of a Lot or Building Site that is situated between (1) the
 2356 nearest roofed portion of the Building or of any Accessory Building on a Lot or Building Site and (2) the
 2357 Side Lot or Building Site Line, and extending through from the Front Setback Area or Yard or from the
 2358 Front Lot or Building Site Line where no Front Setback Area or Yard exists to the Rear Setback Area or Yard
 2359 or to the Rear Lot or Building Site Line where no Rear Setback Area or Yard exists. See Illustration 9.1.S-2
 2360 (Setbacks and Yards).

2361

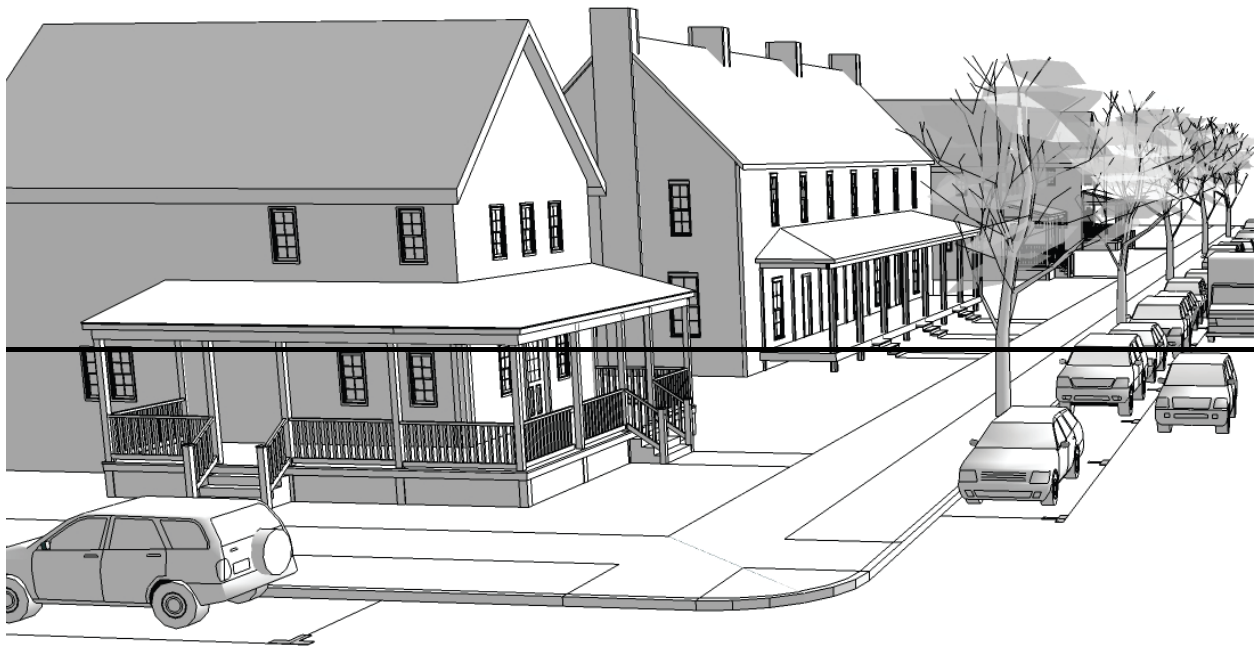
2362 **Side Setback Area or Yard Width:** the dimension of a Side Setback Area or Yard, measured in such a
 2363 manner that the Yard is a strip of the minimum width required by the applicable District standards, with
 2364 its inner edge parallel with the Side Lot or Building Site Line.

2365

2366 **Sidewalk:** the paved section of the Public Frontage dedicated exclusively to pedestrian activity. See
 2367 Illustration 9.3.S-4 (Sidewalk).

2368

2369 **ILLUSTRATION 9.3.S-4 SIDEWALK**



2370

2371 **Sidewalk Sign:** the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table
 2372 7.1.2.B-2 (Sign Types - Specific Standards).

2373

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

2407 Residence” may include a Dwelling Unit which includes separate quarters for persons who are
 2408 related by blood, marriage or adoption to the primary occupants, provided such quarters are
 2409 connected by interior passageways to the other portions of the dwelling unit, and are not rented
 2410 to any unrelated tenants or otherwise used in violation of this Ordinance If more than one meter
 2411 is installed for the same type of household utility service, it will be presumed that Structure is not
 2412 being used as a Single- Family Residence.

2413

2414 Notwithstanding any other provisions to the contrary, subject to the City Manager’s approval, and for
 2415 such periods of time as the City Manager deems reasonable and necessary, a Single-Family Residence may
 2416 include, on a temporary basis, one or more persons, not related to the primary occupants, who have been
 2417 dislocated from their permanent residence due to an officially recognized local, regional or national
 2418 emergency. A report shall be provided to advise the City Council, Planning Commission, and Development
 2419 Services Department of any such situations approved by the City Manager.

2420

2421 **Single Ownership:** a proprietary interest of a Landholder as defined herein.

2422

2423 **Site Development Plan:** a map required by Section 8.5.6.H, which indicates the intended Development of
 2424 a parcel of land and which meets the standards and requirements of, and is prepared in accordance with,
 2425 Section 8.5.6.H and other applicable provisions of this Ordinance.

2426

2427 **Small Multi-Family Building:** Principal Building type that incorporates between three (3) and six (6) side-
 2428 by-side and/or horizontally stacked Dwelling Units, typically with one or more shared entries. See Table
 2429 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).

2430

2431 **Social or Civic Club or Lodge:** a Use characterized by a Structure and/or land owned by or leased to one
 2432 or more Social or Civic Organizations for meeting, recreational, or social purposes primarily by their
 2433 members and their guests.

2434

2435 **Social or Civic Organization:** a private non-profit group, association, organization, club, establishment,
 2436 brotherhood, membership, or other similar group providing meeting, recreational, social, fraternal, youth,
 2437 or similar activities or facilities primarily for its members and guests; excluding, however any type of
 2438 Residential facility such as fraternity or sorority houses.

2439

2440 **Solid Waste Facility:** premises, appurtenances and Improvements used for treating, storing, or disposing
 2441 of solid waste, whether publicly or privately owned or operated. A Solid Waste Facility may consist of

2442 several treatment, storage, or disposal operational units, including, but not limited to, one or more
2443 landfills, surface impoundments, or combination thereof.

2444

2445 **Special District:** an area which, due to its intrinsic size, Use, Configuration, cannot conform to the
2446 requirements and standards of one or more of the applicable Character Districts or Civic District as
2447 specified in this Ordinance.

2448

2449 **Special Exception:** synonymous with Conditional Use.

2450

2451 Special Requirements: provisions of Section 2.2 and Section 5.7 and/or the associated designations on the
2452 Zoning Map for those provisions.

2453

2454 **Specified Anatomical Areas:** less than completely and opaquely covered human genitals, pubic region,
2455 buttock, and female breast below a point immediately above the top of the areola. Also, human male
2456 genitals in a discernibly turgid state, even if completely and opaquely covered.

2457

2458 **Specified Sexual Activities:** human genitals in a state of sexual stimulation or arousal; acts of human
2459 masturbation, sexual intercourse or sodomy; fondling or other erotic touching of human genitals, pubic
2460 region, buttock or female breast.

2461

2462 **Specimen Tree:** any Canopy Tree with a diameter of 24 inches or greater measured at diameter breast
2463 height (DBH) 4.5 ft.

2464

2465 **Sports Field:** a Civic Space type that accommodates the play of athletic endeavors, described as such in
2466 Table

2467 5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B (Civic Space - Specific Standards); excluding Sports
2468 Venues. May include associated Structures.

2469

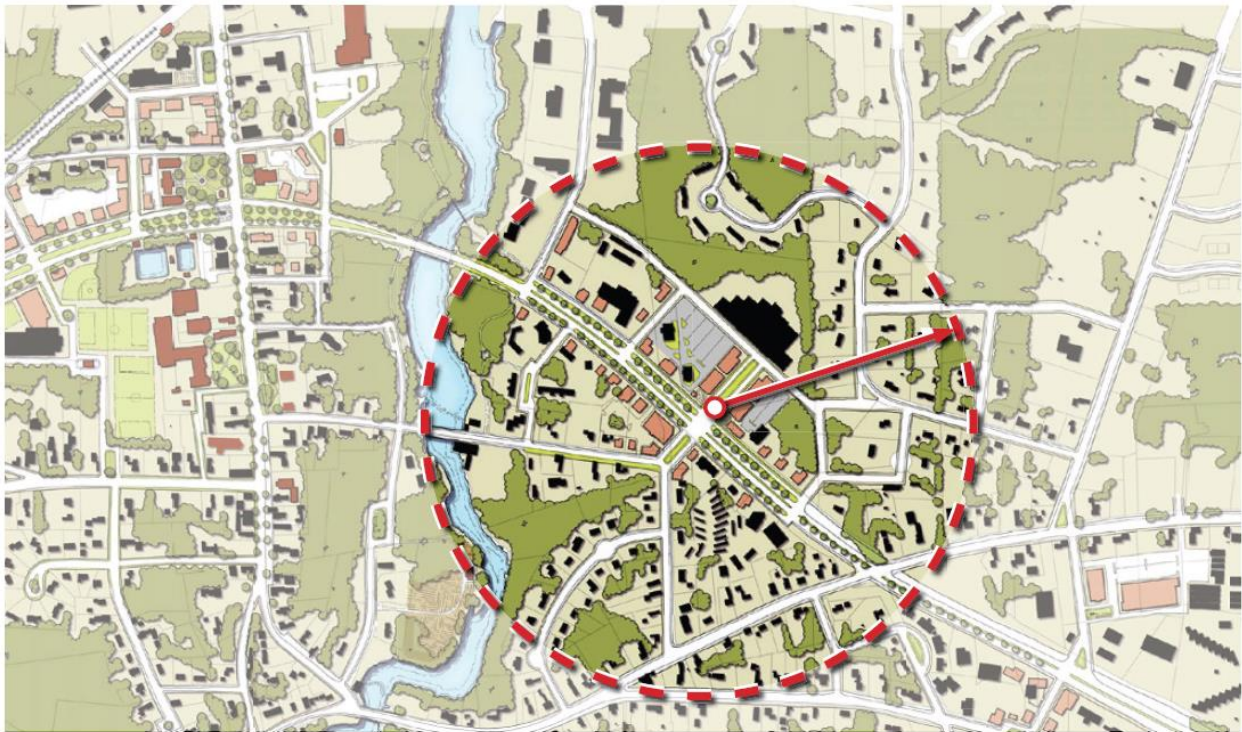
2470 **Sports Venue:** premises at which athletic events are presented.

2471

2472 **Square:** a Civic Space type described as such in Table 5.3.3.A (Civic Space Types - Summary) and Table
2473 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

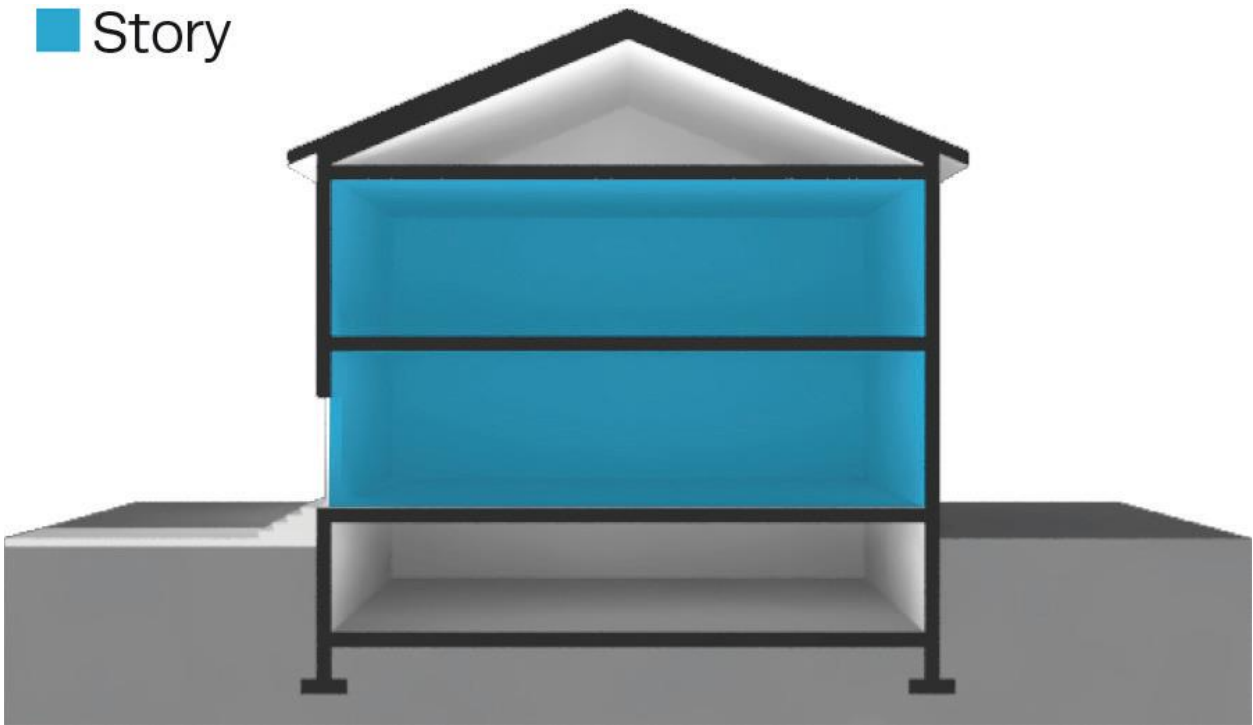


Stoop: a Private Frontage type wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy. An exterior stair and landing provides access to the entrance. This type is recommended for ground-floor Residential Use. See Table 4.3.7.A (Private Frontage 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

■ 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.

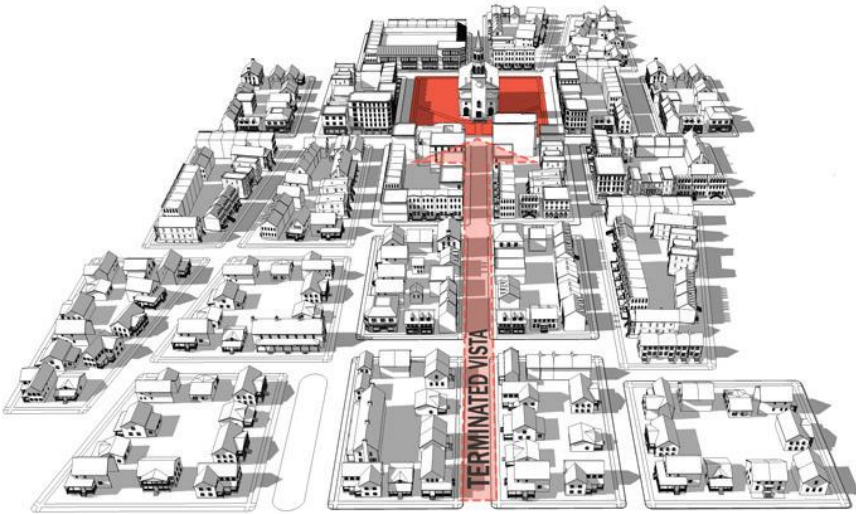
Streetscreen: a type of Screen situated along a Frontage Line, or along the same plane as a Façade, and consisting of a planted evergreen hedge or freestanding Wall constructed of brick or stucco over masonry, which blocks the view of Parking, equipment, or other item or condition from the Frontage, 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.

- 2508
- 2509 Street Setback, Setback Area, or Yard Depth: the dimension of a Street Setback, Setback Area, or Yard that
2510 is measured as follows:
- 2511
- 2512 The depth of a Street Setback, Setback Area, or Yard shall be measured at right angles to a straight line
2513 joining the foremost points of the Side Lot or Building Site Lines; provided that in the case of rounded
2514 property corners at Thoroughfare or Internal Drive intersections, the foremost point of the Side Lot or
2515 Building Site Lines shall be the point at which the Side Lot or Building Site Lines and Front Lot or Building
2516 Site Lines would have met without such rounding.
- 2517
- 2518 Synonymous with Front Setback, Setback, or Yard Depth.
- 2519
- 2520 **Structure:** anything constructed, installed, or erected, the use of which requires a permanent location on
2521 the ground or attachment to something having a permanent location on the ground, regardless whether
2522 the same is horizontal or vertical. The word "Structure" includes Buildings and other Improvements and
2523 all parts thereof.
- 2524
- 2525 **Swimming Pool:** a constructed basin or Structure for swimming and aquatic recreation, excluding plastic,
2526 canvas or rubber pools temporarily erected upon the ground and holding less than 300 gallons of water.
- 2527
- 2528 **Tasting Room:** an establishment or portion of an establishment that allows customers to taste samples of
2529 beer, alcoholic spirits, or vinous beverages. In addition to such products, a Tasting Room may include the
2530 Retail sale of related items, marketing events, special events, entertainment, and/or food sales.
- 2531
- 2532 **TCA:** Tennessee Code Annotated.
- 2533
- 2534 **Temporary Sign:** any Sign which is not permanently installed, mounted, or placed. Signs of the types
2535 described in Table 7.1.2.B-1 (Summary of Sign Types) and Table 7.1.2.B-2 (Sign Types - Specific Standards)
2536 are not Temporary Signs.
- 2537
- 2538 **Temporary Use:** Use of premises for fewer than 60 days or such other period as may be specifically
2539 provided in this Ordinance, and permitted by right, by conditional use, or subject to limited use standards
2540 under Section 4.3.9G in accordance with Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses),
2541 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).

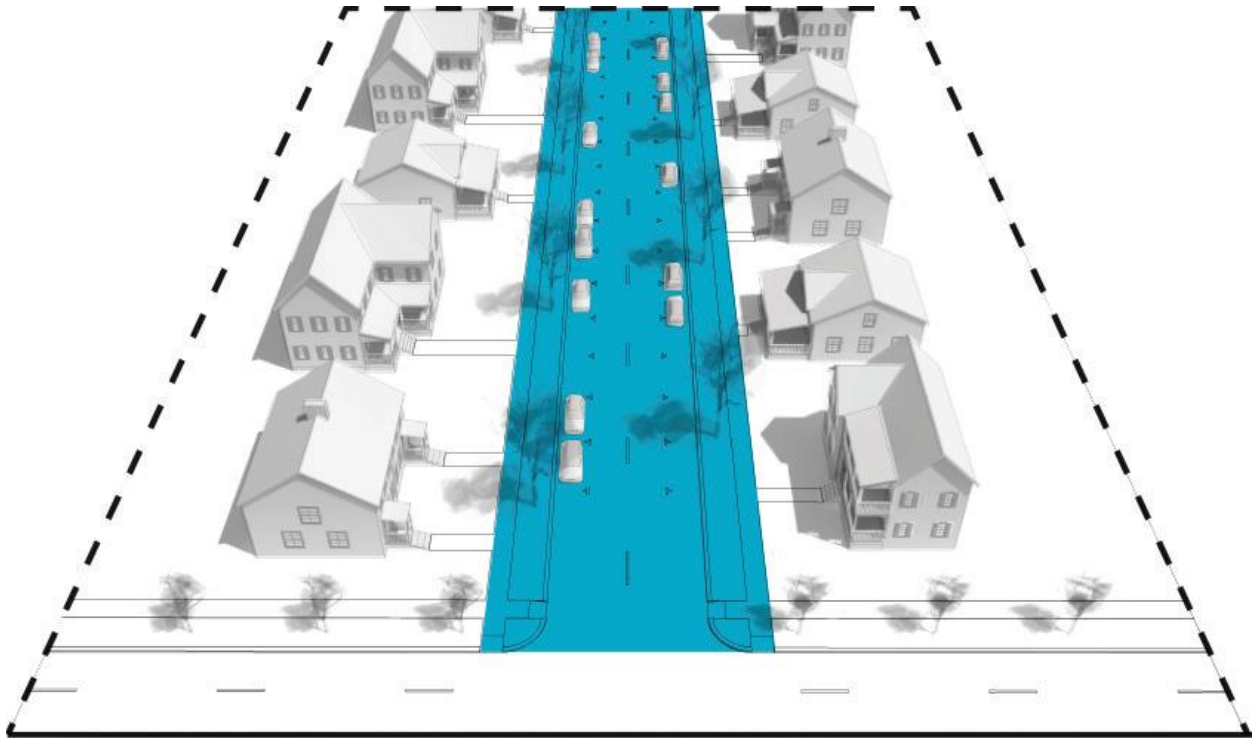
Theater: a Building or part of a Building devoted to the showing of motion pictures, or theatrical or performing arts productions, as a Principal Use.

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

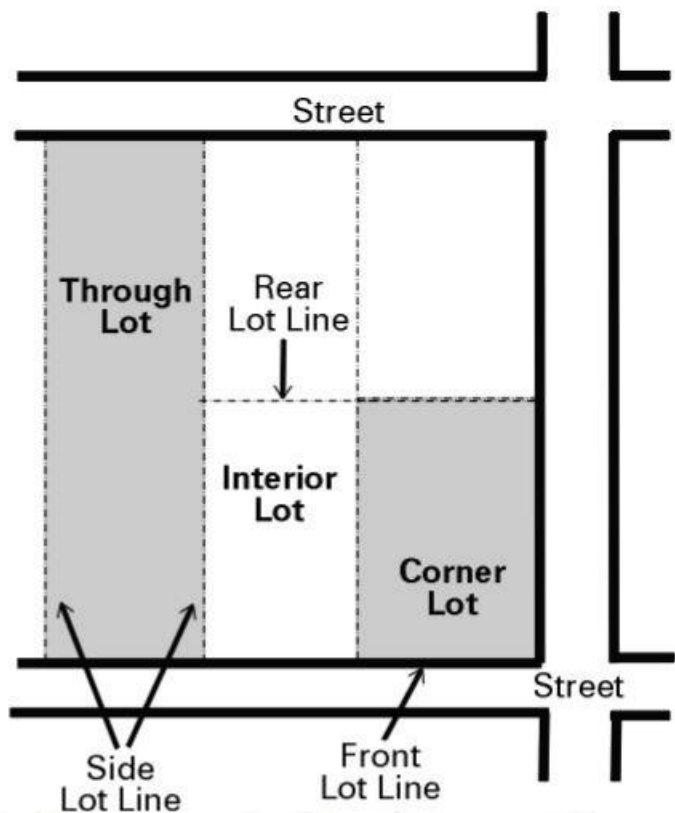
Frontage. See Illustration 9.3.T-2 (Thoroughfare). See also Table 5.3.3.F (Thoroughfare / Internal Drive Types Summary) and Table 5.3.3.G-1 (Thoroughfare / Internal Drive Assemblies and Standards). See also “Internal Drive”.

ILLUSTRATION 9.3.T-2 THOROUGHFARE



■ Thoroughfare

- 2570
- 2571
- 2572 **Through Lot or Building Site:** a Lot or Building Site type that extends through from Thoroughfare or
- 2573 Internal Drive to Thoroughfare or Internal Drive.
- 2574 **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.

2592 **Townhouse:** the Building Type described as such in Table

2593 4.3.8.B (Principal Building Types).

2594

2595 **Trailer:** an unpowered, portable, or mobile vehicle designed to be designed to be towed by a Motor
2596 Vehicle.

2597

2598 **Transient:** as a noun, a Person who is staying in a place for fewer than thirty (30) days; as an adjective or
2599 adverb, a duration of fewer than thirty (30) days.

2600

2601 **Transit Shelter:** accommodation providing shelter from the elements for waiting transit riders, excluding
2602 a Transit Station or Terminal.

2603

2604 **Transit Station or Terminal:** a facility or area at which train, rapid transit, light rail, bus, or other mass
2605 transit modality service regularly stops to load or unload passengers.

2606

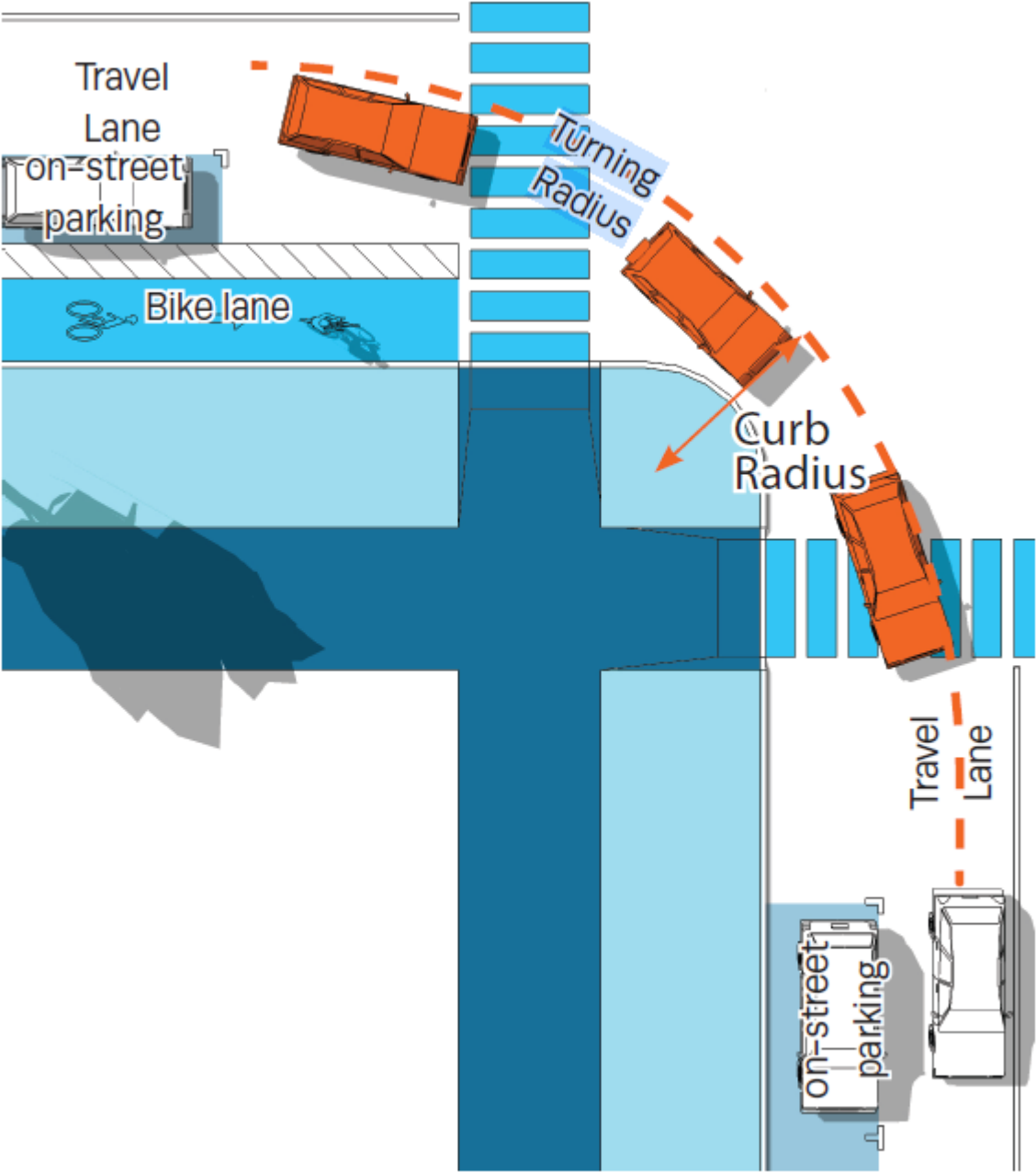
2607 **Tree Removal:** cutting down, digging up, destroying, clearing, or otherwise taking a tree from the location
2608 in which it is growing; inflicting damage to the root system; girdling; storing materials, soil compaction,
2609 changing the natural grade above or below the root system or around the trunk; inflicting damage that
2610 permits fungus infection or pest infestation; excessive pruning; excessive thinning; excessive paving with
2611 concrete, asphalt or other impervious material in such proximity as to be harmful to the tree; excessive
2612 grading; or any act of intentional or reckless damage to a tree. Without limiting the foregoing, excessive
2613 pruning or thinning shall include pruning or thinning more than 25% of the leaf surface on both the lateral
2614 branch and the overall foliage of a mature tree and and pruning or thinning that does not allow 1/2 of the
2615 foliage of a mature tree to remain evenly distributed in the lower 2/3rds of the crown and individual limbs;
2616 and excessive paving or grading shall include paving or grading over any part of the Critical Root Zone of
2617 a tree.

2618

2619 **Turning Radius:** the inside radius of the Vehicular Lanes available for a vehicle to make a turn, accounting
2620 for the presence of parking, bike lanes, medians or other features. See Illustration 9.3.C-3 (Curb Radius).
2621 Table 5.2.2.G-1 (Thoroughfare Assemblies & Standards) and Illustration 9.3.T-4 (Turning Radius). See also
2622 Curb Radius.

2623

2624 **ILLUSTRATION 9.3.T-4 TURNING RADIUS**



Usable Floor Area: the Floor Area within a Building, less the area of space used for utilities or storage.

$$\begin{array}{rcl} \text{Floor Area} & & \text{Useable} \\ \text{Within Building} & - & \text{Floor Area} \\ & \text{Space Used For} & \\ & \text{Utilities or Storage} & \end{array} =$$

2629

2630

2631 **Utility(ies):** (1) as a Uses category under this Ordinance, the Uses category involving uses, activities, and
 2632 equipment involved with the providing electricity, gas, water, sewage, telephone, cable, or other similar
 2633 publicly regulated service, such category of Uses including without limitation Utility Lines, Utility
 2634 Distribution / Substation / Switching Facility, and Utility Pumping Station (See Table 4.3.9.A-1 (Building,
 2635 Lot & Building Site Principal Use); (2) as a service, electricity, gas, water, sewage, telephone, cable, wireless
 2636 communications, or other similar publicly regulated service provided by a Utility Provider.

2637

2638 **Two-Family Detached Dwelling:** separate Residential premises for only two Families within a Building,
 2639 whether both Dwelling Units are on a single Lot or Building Site or Abutting Lots or Building Sites. A Duplex
 2640 is a specific Building Type that may accommodate a Two-Family Detached Dwelling, but the terms are not
 2641 synonymous.

2642

2643 **Unified Control of a Landholder:** with respect to a Planned Unit Development, control by a single Person
 2644 of all land to be developed within the overall Planned Unit Development site.

2645

2646 **Use:** a specific function, activity, or purpose accommodated by or intended to be accommodated by land,
 2647 a Lot, Building Site, or a Structure, or for which land, Lot, Building Site, or Structure is designed, arranged,
 2648 intended, occupied or maintained. See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use) and
 2649 Table 4.3.9.A-2 Building, Lot & Building Site Accessory Uses).

2650

2651 **Utility Distribution / Substation / Switching Facility:** facility used for Utility distribution, including
 2652 systems, and equipment used for such purposes.

2653

2654 **Utility Facility:** premises used by a Utility Provider relative to providing a Utility service, including without
 2655 limitation a Utility Pumping Station, a Utility Distribution / Substation/ Switching Facility, a water tower
 2656 or tank, a Water Treatment / Supply Facility, a water or wastewater pump station, a water reclamation
 2657 facility, a Sewage Facility, a Utility Generation Facility, a Wireless Communications Facility, a
 2658 Communications Tower, or other facility used to provide a Utility service, excluding, however, Utility Lines.

2659

2660 Maintenance yard or Building (see Light Industrial Service), Utility office (see Office), TV and radio studio
 2661 (see Office), and Reservoir or water supply (see Civic Space and Open Space) are not included in this Use
 2662 Category.

2663

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.

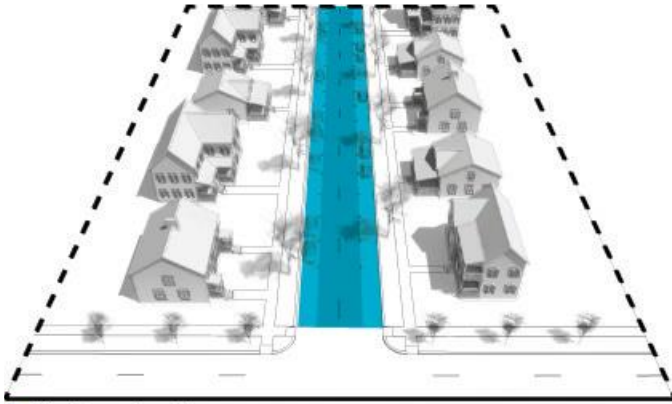
Utility Pumping Station: a facility at which water, sewage, or other Utility fluids are pumped from one place to another.

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



 Vehicular Lanes

2688

2689 **Vessel:** a Boat, yacht, ship, canoe, kayak, paddle board, paddle board, jet-ski, or recreational or other
2690 watercraft.

2691

2692 Veterinary Office, Clinic, or Hospital: premises or an establishment offering Veterinary Services for
2693 animals.

2694

2695 Veterinary Services: health or medical care provided to animals by a licensed veterinarian.

2696

2697 **Wall:** a vertical Structure that (1) supports a Structure or (2) encloses or separates an area of land.

2698

2699 **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
2700 (Sign Types - Specific Standards).

2701

2702 **Warehouse Retail:** a Retail establishment that has limited customer amenities and service and sells goods
2703 at discounted prices.

2704

2705 **Warehousing:** the indoor storage of goods, not including storage in Self-Service Storage facilities.

2706

2707 Warehouse: premises used for Warehousing, not including Self-Service Storage facilities.

2708

2709 **Warehouse and Freight Movement:** Use sub-category of the Industrial Category characterized by the
2710 storage or movement of goods.

2711 Not included in this sub-category are bulk storage of flammable liquids (see Heavy Industrial), Self-Storage
2712 Facilities, Mini-warehouse, multi-story enclosed storage facility, storage garages (see Self-Service
2713 Storage), Solid or liquid waste transfer, or composting (see Waste- Related Service).

2714
2715 **Waste-Related Service:** Use sub-category of Industrial Use category characterized by Uses that receive
2716 solid or liquid wastes from others for transfer to another location and Uses involving collection of sanitary
2717 wastes or manufacture or production of goods or energy from the composting of organic material.

2718 Not included in this sub-category are:
2719 Stockpiling of sand, gravel, or other aggregate materials (see Warehouse and Freight Movement).

2720
2721 Water Treatment / Supply Facility: facilities for the treatment and supply of potable, irrigation, or
2722 industrial water supply.

2723
2724 Wholesale Sales: the sale, lease, or rent of goods in large quantities primarily to industrial, institutional,
2725 and commercial business customers, which goods may or may not be resold at Retail by such customers.

2726
2727 Retail Sales, Personal Service, Repair, Arts, and Artisan Use, in-store sales, lease, or rental of consumer,
2728 household, or business goods, Warehousing or Freight Movement (see Warehouse and Freight
2729 Movement), and Warehouse or Wholesale Club (see Retail Sales and Service) are not included in
2730 Wholesale Sales.

2731
2732 **Window Sign:** the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-
2733 2 (Sign Types - Specific Standards).

2734
2735 **Winery:** an establishment which is primarily used for the manufacture of vinous beverages in accordance
2736 with applicable state and local regulations.

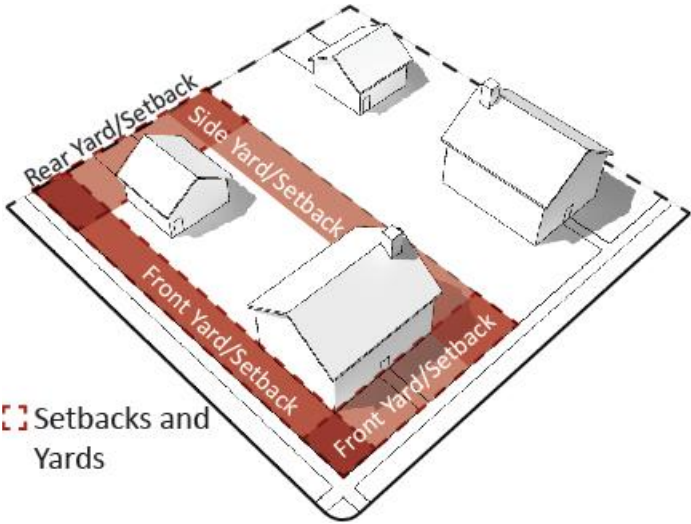
2737
2738 **Wireless Communications Facility:** any facility for the receiving or transmitting of wireless signals for
2739 commercial purposes. As used herein the term shall include any necessary support structure, connection
2740 cables and equipment buildings as well as towers or monopoles.

2741
2742 **Woodworking Shop:** premises at which wooden articles are made or repaired.

2743

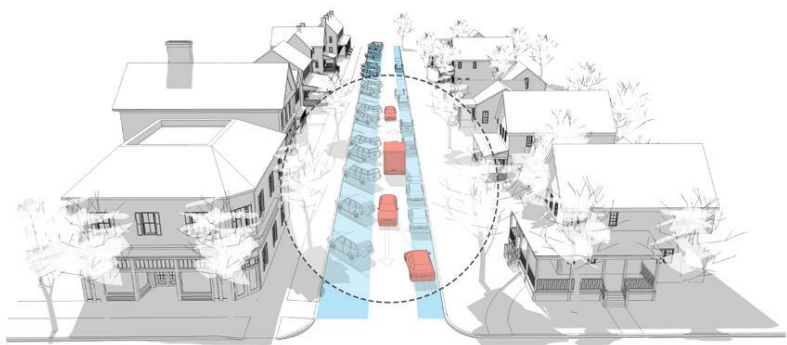
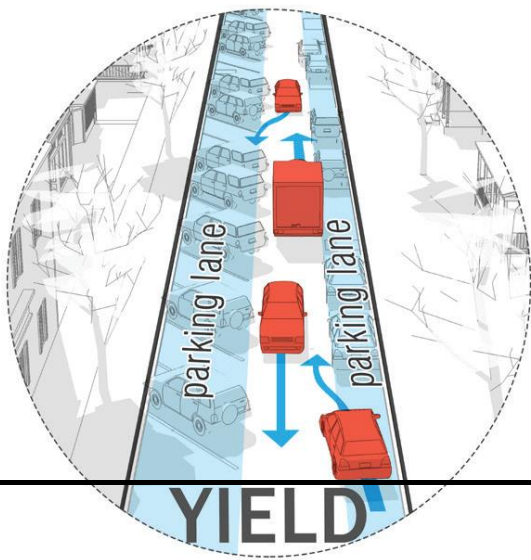
Yard or Setback Area: an open area within a Lot or Building Site on which there is a Building. Setback Areas or Yards are described by their positions within the Lot or Building Site, and their area is calculated as the shortest horizontal distance from a Lot or Building Site Line to the nearest foundation 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.

2771 The Zoning Map approved by the City Council, as the same may be amended from time to time, constitutes
2772 the Official Zoning Map of the City.

2773
2774 **Zoning Permit:** a permit required to Develop, construct, reconstruct, Improve, Alter, or use any Structure,
2775 Lot or Building Site.

2776

July 11, 2024 - 5:30 PM

PUBLIC HEARINGS

REGULAR MEETING

CALL TO ORDER/ROLL CALL

Mayor Chaz Molder called the meeting to order, pursuant to proper public notice having been given. Present were Council Member DaVena Hardison, Council Member Debbie Wiles, Council Member Tony Greene, Council Member Kenny Marshall, Council Member Danny Coleman, Vice Mayor Randy McBroom, Mayor Chaz Molder, City Manager Tony Massey, City Attorney Tim Tisher, City Recorder Thad Jablonski and Recording Secretary Liz Bermudez.

INVOCATION BY FREDDY ERAZO OF THE BRIDGE CHURCH

PLEDGE OF ALLEGIANCE

Council Member Hardison led the Pledge of Allegiance.

APPROVAL OF AGENDA

Council Member Marshall moved to approve the Agenda. Council Member Greene seconded the motion.

All Council Members present voted aye.

PRESENTATIONS

Item 5.1. - **PROCLAMATION BY MAYOR MOLDER FOR MAKKY KAYLOR DAY**

Mayor read a Proclamation for Makky, who has a new official State song for Tennessee. Makky said he is thankful for his family and first grandson that are all present tonight, and he is happy to shine light on our wonderful town.

Item 5.2. - **PROCLAMATION BY MAYOR MOLDER FOR PARKS AND RECREATION MONTH**

Mayor Molder read the Proclamation for Parks and Recreation and presented it to Director Mack Reagan.

ORGANIZATIONAL BUSINESS

Item 6.1. - **APPROVE THE MINUTES OF THE JUNE 13, 2024 CITY COUNCIL MEETING.**

Council Member Coleman moved to approve the minutes of the June 13, 2024 City Council Meeting. Council Member Marshall seconded the motion.

All Council Members present voted aye.

CITY COUNCIL REGULAR MEETING - COLUMBIA, TENNESSEE

July 11, 2024 - 5:30 PM

CONSENT AGENDA

Council Member Coleman moved to approve the Consent Agenda. Council Member Greene seconded the motion.

All Council Members present voted aye and the following items were approved:

Item 7.1. - **APPROVE DISBURSEMENTS FOR THE MONTH OF MAY 2024 IN THE AMOUNT OF \$5,955,398.43**

Item 7.2. - **APPROVE AND AUTHORIZE THE DISPOSAL OF SURPLUS EQUIPMENT**

Item 7.3. - **APPROVE AND AUTHORIZE THE MAYOR TO SIGN A PURCHASE AGREEMENT IN THE AMOUNT OF \$7,770 AND MAINTENANCE AGREEMENT IN THE AMOUNT OF \$128.70 WITH OVERAGES BILLED AT \$.0072 PER BLACK & WHITE COPY AND \$.0426 PER COLOR COPY BILLED QUARTERLY WITH BETTER BUSINESS SOLUTIONS FOR ONE SHARP BP-70C55 COPIER SYSTEM**

Item 7.4. - **APPROVE PAYMENT IN THE AMOUNT OF \$60,882 TO LOCAL GOVERNMENT CORPORATION FOR ANNUAL SOFTWARE SUPPORT AND MAINTENANCE FOR DATA QUEST AND NEXTGEN SOFTWARE, AND DOCUMENT MANAGEMENT**

Item 7.5. - **APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE THE ANNUAL RENEWAL STATEMENT OF WORK (SOW) WITH CIVICPLUS, LLC FOR CIVICCLERK AGENDA MANAGEMENT SYSTEM WITH MEETING MANAGER IN THE AMOUNT OF \$17,022.39**

Item 7.6. - **APPROVE CHANGE ORDER NO. 2 WITH N & S WATERPROOFING, LLC FOR THE CITY OF COLUMBIA PARKING GARAGE REHABILITATION PROJECT, WHICH INCREASES THE CONTRACT AMOUNT BY \$69,651 AND ADDS 35 DAYS TO THE CONTRACT TIME**

Item 7.7. - **APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH HURST-ROSCHE, INC. IN THE AMOUNT OF \$23,800 FOR PROFESSIONAL CONSULTANT ENGINEERING/ARCHITECTURAL FIRM TO PROVIDE SERVICES RELATED TO THE DESIGN AND INSTALLATION OF THE ROOFING SYSTEM FOR CITY HALL LOCATED AT 700 N. GARDEN ST. IN THE CITY OF COLUMBIA**

Item 7.8. - **APPROVE AND AUTHORIZE THE MAYOR TO SIGN AMENDMENT NO. 3 TO THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) CONTRACT FOR IMPROVEMENTS AT AND AROUND THE INTERSECTION OF SR-6 (NASHVILLE HIGHWAY) AND SR-99 (BEAR CREEK PIKE) PIN 125912.00 -**

July 11, 2024 - 5:30 PM

WARD 5

Item 7.9. - APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF COLUMBIA AND MAURY COUNTY FIRE DEPARTMENT TO PROVIDE ONE AUTOPULSE BOARD WITH ACCESSORIES

Item 7.10. - APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT BETWEEN THE CITY OF COLUMBIA AND STATE SYSTEMS, INC FOR THE EQUIPMENT, INSTALLATION, PROGRAMMING AND MONITORING OF THE FIRE ALARM AT FIRE STATION NO. 5 LOCATED AT 2633 NASHVILLE HIGHWAY

Item 7.11. - APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT BETWEEN THE CITY OF COLUMBIA AND STATE SYSTEMS, INC FOR SEMI-ANNUAL AND ANNUAL INSPECTIONS FOR ALL FIVE (5) CITY OF COLUMBIA FIRE HOUSES

Item 7.12. - APPROVE CHANGE ORDER NO. 4 WITH BRINDLEY CONSTRUCTION, LLC FOR THE CITY OF COLUMBIA FIRE STATION PROJECT, WHICH INCREASES THE CONTRACT AMOUNT BY A TOTAL OF \$8,876

Item 7.13. - APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT BETWEEN THE CITY OF COLUMBIA AND JOURNAL COMMUNICATIONS IN THE AMOUNT OF \$8,210 FOR ADVERTISING IN THE 2025 LIVABILITY TN ECONOMIC DEVELOPMENT MAGAZINE

Item 7.14. - APPROVE PURCHASE FROM THOMPSON MACHINERY OF A D3 12B CFG30 CAT DOZER IN THE AMOUNT OF \$186,553.33 USING STATE OF TN CONTRACTS

Item 7.15. - APPROVE THE PURCHASE OF A 2025 MV607 SBA DUMP TRUCK FROM CUMBERLAND INTERNATIONAL TRUCKS IN THE AMOUNT OF \$134,385.44

Item 7.16. - APPROVE THE PURCHASE OF A 2024 F250 4X4 CREW CAB TRUCK FROM LONNIE COBB FORD IN THE AMOUNT OF \$62,460 UTILIZING STATE WIDE CONTRACT 209

ADMINISTRATION

Item 8.1. - APPROVE THE CONTRACTUAL AGREEMENT BETWEEN THE CITY OF COLUMBIA AND MAURY COUNTY SENIOR CITIZENS CENTER, INC. IN THE

CITY COUNCIL REGULAR MEETING - COLUMBIA, TENNESSEE

July 11, 2024 - 5:30 PM

AMOUNT OF \$58,000

Council Member Marshall moved to approve Item 8.1. Council Member Greene seconded the motion.

All Council Members present voted aye.

Item 8.2. - APPROVE THE CONTRACTUAL AGREEMENT BETWEEN THE CITY OF COLUMBIA AND MAURY COUNTY REGIONAL AIRPORT AUTHORITY IN THE AMOUNT OF \$10,000

Council Member Coleman moved to approve Item 8.2. Council Member Greene seconded the motion.

All Council Members present voted aye.

Item 8.3. - APPROVE THE CONTRACTUAL AGREEMENT BETWEEN THE CITY OF COLUMBIA AND KEEP MAURY BEAUTIFUL IN THE AMOUNT OF \$8,000

Council Member Greene moved to approve Item 8.3. Council Member Marshall seconded the motion.

All Council Members present voted aye.

Item 8.4. - APPROVE THE CONTRACTUAL AGREEMENT BETWEEN THE CITY OF COLUMBIA AND TENNESSEE REHABILITATION CENTER AT COLUMBIA IN THE AMOUNT OF \$17,000

Council Member Coleman moved to approve Item 8.4. Council Member Greene seconded the motion.

All Council Members present voted aye.

Item 8.5. - APPROVE THE CONTRACTUAL AGREEMENT FOR ECONOMIC DEVELOPMENT SERVICES BETWEEN THE CITY OF COLUMBIA AND MAURY COUNTY CHAMBER AND ECONOMIC ALLIANCE IN THE AMOUNT OF \$100,000

Council Member Coleman moved to approve Item 8.5. Council Member Greene seconded the motion.

All Council Members present voted aye.

RESOLUTIONS

Item 9.1. - RESOLUTION NO. 24-40 - TAX CORRECTIONS

Council Member Greene moved to approve Resolution No. 24-40. Council Member Marshall seconded the motion.

All Council Members present voted aye.

Item 9.2. - RESOLUTION NO. 24-41 - A RESOLUTION AUTHORIZING THE CITY OF COLUMBIA TO JOIN THE STATE OF TENNESSEE AND OTHER LOCAL GOVERNMENTS IN AMENDING THE TENNESSEE STATE-SUBDIVISION OPIOID

July 11, 2024 - 5:30 PM

ABATEMENT AGREEMENT AND APPROVING THE RELATED SETTLEMENT AGREEMENT

Council Member Coleman moved to approve Resolution No. 24-41. Council Member Greene seconded the motion.

All Council Members present voted aye.

Item 9.3. - RESOLUTION NO. 24-42 - A RESOLUTION TO ACCEPT THE STREETS AND DRAINAGE IMPROVEMENTS SERVING TAYLOR LANDING SUBDIVISION, PHASE 3, FOR OWNERSHIP AND MAINTENANCE

Council Member Greene moved to approve Resolution No. 24-42. Council Member Marshall seconded the motion.

All Council Members present voted aye.

Item 9.4. - RESOLUTION NO. 24-43 - A RESOLUTION TO ACCEPT THE OWNERSHIP AND MAINTENANCE OF SEWER IMPROVEMENTS SERVING THE PRESERVE AT DRUMWRIGHT PHASE 1

Council Member Coleman moved to approve Resolution No. 24-43. Council Member Greene seconded the motion.

All Council Members present voted aye.

Item 9.5. - RESOLUTION NO. 24-44 - A RESOLUTION TO ACCEPT THE OWNERSHIP AND MAINTENANCE OF SEWER IMPROVEMENTS SERVING THE PRESERVE AT DRUMWRIGHT PHASE 2

Council Member Coleman moved to approve Resolution No. 24-44. Council Member Greene seconded the motion.

All Council Members present voted aye.

ORDINANCES

Item 10.1. - 2ND CONSIDERATION ON ORDINANCE NO. 4508 AS AMENDED - AN ORDINANCE TO AMEND ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE BY REZONING TAX MAP 90I GROUP B PARCELS 001.00 AND 005.00, LOCATED AT 806 AND 812 NASHVILLE HIGHWAY, FROM CD-4C (GENERAL URBAN CORRIDOR CHARACTER DISTRICT) AND CD-3 (NEIGHBORHOOD CHARACTER DISTRICT) TO PUD-MU (PLANNED UNIT DEVELOPMENT - MIXED USE) WITH PRELIMINARY PUD MASTER PLAN APPROVAL - WARD 3

Council Member Greene moved to approve Ordinance No. 4508 as amended on second consideration and restated that option 2 is the option Council selected. Council Member Marshall seconded the motion.

All Council Members present voted aye.

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Item 10.2. - 2ND CONSIDERATION ON ORDINANCE NO. 4509 - AN ORDINANCE TO AMEND ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE BY REZONING TAX MAP 99 PARCEL 49, LOCATED AT 1201 MAPLEASH AVENUE, FROM CD-2 (RURAL CHARACTER DISTRICT) TO CV (CIVIC DISTRICT) - WARD 3

Council Member Greene moved to approve Ordinance No. 4509 on second consideration. Council Member Coleman seconded the motion.

All Council Members present voted aye.

Item 10.3. - 2ND CONSIDERATION ON ORDINANCE NO. 4510 - AN ORDINANCE TO AMEND ORDINANCE NO. 4400 - THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE BY AMENDING THE HONEY FARM PUD MASTER PLAN FOR A 1.34 ACRE PORTION OF LOT 1 IN HONEY FARM CROSSING AT TAX MAP 51 PARCEL 58.00, LOCATED OFF NASHVILLE HIGHWAY AND HONEY FARM WAY - WARD 5

Council Member Coleman moved to approve Ordinance No. 4510 on second consideration. Council Member Greene seconded the motion.

All Council Members present voted aye.

Item 10.4. - 2ND CONSIDERATION OF ORDINANCE NO. 4511 - AN ORDINANCE AMENDING TITLE 18, CHAPTER 3, SECTION 18-303, OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA BY REPLACING IN ITS ENTIRETY PRESENT SCHEDULES A AND B AND ADOPTING AND APPROVING THE FOLLOWING SCHEDULES A AND B AND ESTABLISH THE DATE OF AUGUST 8, 2024, AS THE DATE OF PUBLIC HEARING

City Manager Massey requested Council defer this item and the next to allow proper notification for the Public Hearing.

Council Member Greene moved to defer Ordinance No. 4511 on second consideration and establish the date of August 8, 2024 as the date of Public Hearing. Council Member Marshall seconded the motion.

All Council Members present voted aye.

Item 10.5. - 2ND CONSIDERATION OF ORDINANCE NO. 4512 - AN ORDINANCE TO AMEND TITLE 18, CHAPTER 3 OF THE COLUMBIA MUNICIPAL CODE BY AMENDING 18-310 TO INCREASE THE WATER IMPACT FEE UPON NEW WATER CUSTOMERS TO SERVE THE DEMAND FOR WATER SYSTEM CAPITAL FACILITIES AND PUBLIC IMPROVEMENTS AND ESTABLISH THE DATE OF AUGUST 8, 2024, AS THE DATE OF PUBLIC HEARING

Council Member Greene moved to defer Ordinance No. 4512 on second consideration and establish the date of August 8, 2024 as the date of Public Hearing. Council

CITY COUNCIL REGULAR MEETING - COLUMBIA, TENNESSEE

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Member Marshall seconded the motion.

All Council Members present voted aye.

OTHER BUSINESS

Mayor Molder advised there will be a groundbreaking for the WWTP on Monday, July 15th. He advised they had a good meeting Tuesday with Standard and Poor. Mayor also mentioned the tour of the new judicial center.

Council Member Debbie Wiles asked about the turn around time for S&P. Mr. Massey advised that we should hear back in a couple weeks. Council Member Wiles said the presentation for S&P was amazing and she appreciated the tour.

EXECUTIVE SESSION

ADJOURNMENT

There being no further business, Council Member Greene moved to adjourn the meeting. Council Member Marshall seconded the motion. All members present voted aye. The meeting adjourned at 05:59 pm.

UPCOMING EVENTS

Item 14.1. - **GROUNDBREAKING CEREMONY FOR NEW WASTEWATER TREATMENT PLANT - MONDAY, JULY 15, 2024, AT 9:00 A.M. - 1244 TREATMENT PLANT ROAD, COLUMBIA, TN.**

CITY OF COLUMBIA
DISBURSEMENTS FOR MONTH ENDING JUNE 30, 2024

FUND	GROSS	TRANSFERS & CD's	PAYROLL TRANSFERS	NET TOTAL
General Fund	2,972,169.31	409,611.21	1,498,780.09	1,063,778.01
Sanitation Fund	382,785.64	26,720.87	74,987.18	281,077.59
Wastewater Fund	565,486.11	53,425.47	188,849.86	323,210.78
Street & Transportation Fund				-
State Street Aid	27,087.30			27,087.30
Drug Fund	1,031.29			1,031.29
Debt Service Fund	-			-
Capital Projects Fund	257,912.39			257,912.39
Sewer Revenue & Tax Bond Issue				-
Sewer Impact Fee #2				-
Insurance Fund	452,822.96	404,991.96		47,831.00
2017 GO Public Imp Bonds				-
2010 GO Bond Issue				-
Cleary Construction Escrow				-
Industrial Development Board				-
	\$ 4,659,295.00	\$ 894,749.51	\$ 1,762,617.13	\$ 2,001,928.36

**CITY OF COLUMBIA
DISBURSEMENT REPORT
FOR THE PERIOD 6/1/2024 - 6/30/2024**

GENERAL FUND

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134952	6/3/2024	Break Time Services	\$168.25
134953	6/3/2024	Johnson Controls	\$10,016.80
134954	6/3/2024	Motorola Solutions Inc	\$22,245.00
134955	6/3/2024	Mark Tranter	\$125.00
134956	6/6/2024	Columbia Power & Water Systems	\$138.04
134957	6/6/2024	Randolph Electronics	\$148.00
134958	6/6/2024	Thompson Machinery	\$7,115.70
134959	6/6/2024	Maury Co United Way	\$557.00
134960	6/6/2024	Columbia Oil Company Inc	\$173.21
134961	6/6/2024	Columbia Neon Co	\$7,300.00
134962	6/6/2024	Neel-Schaffer	\$960.00
134963	6/6/2024	Auto Trim Design	\$995.00
134964	6/6/2024	AT&T	\$1,434.17
134965	6/6/2024	David's Lock & Key Inc	\$101.10
134966	6/6/2024	Dell Marketing L P	\$175.37
134967	6/6/2024	Gulf States Distributors Inc	\$1,168.70
134968	6/6/2024	Office Warehouse LLC	\$19.99
134969	6/6/2024	Southern Radiology Associates	\$11.00
134970	6/6/2024	Break Time Services	\$144.25
134971	6/6/2024	Vulcan Materials Co	\$107.91
134972	6/6/2024	Columbia Firefighter Assn	\$485.00
134973	6/6/2024	Parman Energy Group LLC	\$1,706.36
134974	6/6/2024	Uline	\$1,692.81
134975	6/6/2024	Jeff Riggins	\$6.55
134976	6/6/2024	D & D Towing & Recovery	\$175.00
134977	6/6/2024	Safe Industries	\$300,000.00
134978	6/6/2024	Volkert Inc	\$1,057.00
134979	6/6/2024	State Systems, LLC	\$636.00
134980	6/6/2024	Leaf	\$643.00
134981	6/6/2024	Cintas Corporation #241	\$905.22
134982	6/6/2024	Colonial Life	\$5,524.43
134983	6/6/2024	Simpleview, LLC	\$1,162.50
134984	6/6/2024	Maury County 911	\$7,578.83
134985	6/6/2024	CrowdRiff Inc.	\$5,500.00
134986	6/6/2024	Verizon Wireless 04	\$2,323.54
134987	6/6/2024	Vanderbilt University Medical Center	\$2,099.63
134988	6/6/2024	Volunteer Paving LLC	\$186.56
134989	6/6/2024	State of TN - Dept of General Svc	\$800.00
134990	6/6/2024	AT&T	\$70.00
134991	6/6/2024	Southern Duplicating of Clarksdale, Inc	\$634.29
134992	6/6/2024	Sonny Hargrove Trucking, LLC	\$8,000.00
134993	6/6/2024	Verizon - (Police Dept)	\$3,406.12
134994	6/6/2024	Wells Fargo Financial Leasing, Inc	\$134.25
134995	6/6/2024	Arsenio Guerra	\$650.00
134996	6/6/2024	Charter Communications	\$1,099.00
134997	6/6/2024	Colorkraft Auto Refinishers, LLC	\$13,075.45
134998	6/6/2024	Teresa Smith	\$125.00
134999	6/6/2024	Jeremy B Hanback	\$2,550.00
135000	6/6/2024	Mid-State Title & Escrow	\$14.36
135001	6/6/2024	Anesthesia Associates of Columbia TN	\$77.30
135002	6/7/2024	Tn Dept Of Revenue	\$433.55
135003	6/7/2024	TN Dept Of Safety	\$66.50

**CITY OF COLUMBIA
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GENERAL FUND

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135004	6/7/2024	State Of TN Attn: Lily White	\$465.50
135005	6/7/2024	State Of TN Dept Of Revenue	\$9.50
135006	6/7/2024	Martin Fireworks LLC	\$3,100.00
135007	6/7/2024	Group 1 Construction Inc	\$250.00
135008	6/7/2024	Jacob McCord	\$150.00
135009	6/7/2024	Jake Haroian	\$800.00
135010	6/14/2024	Columbia Power & Water Systems	\$18,985.92
135011	6/14/2024	Jones & Lang Sporting Goods	\$18.00
135012	6/14/2024	Mobile Communications America, Inc	\$5,685.87
135013	6/14/2024	Morgan Brothers Electric Inc	\$296.06
135014	6/14/2024	Columbia Oil Company Inc	\$4,538.81
135015	6/14/2024	Turner & Osborne Tire Co	\$95.03
135016	6/14/2024	Columbia Machine Works	\$1,210.00
135017	6/14/2024	Auto Trim Design	\$995.00
135018	6/14/2024	Public Entity Partners	\$26,233.65
135019	6/14/2024	Maury Co Animal Shelter	\$50,000.00
135020	6/14/2024	AT&T	\$1,477.08
135021	6/14/2024	AT&T	\$70.23
135022	6/14/2024	David's Lock & Key Inc	\$169.00
135023	6/14/2024	3M Company	\$1,356.75
135024	6/14/2024	Dell Marketing L P	\$2,126.14
135025	6/14/2024	NexAir LLC	\$41.57
135026	6/14/2024	Robert J Young Company LLC	\$19.14
135027	6/14/2024	Sunbelt Rentals Inc	\$285.09
135028	6/14/2024	Break Time Services	\$144.00
135029	6/14/2024	Weld-Rite LLC	\$250.00
135030	6/14/2024	Best Cleaners	\$691.25
135031	6/14/2024	Nixon Power Services LLC	\$1,512.00
135032	6/14/2024	Better Business Solutions	\$760.14
135033	6/14/2024	Benjamin William Daugherty	\$296.00
135034	6/14/2024	J & M Supply Solutions	\$1,280.81
135035	6/14/2024	Tri Star Energy	\$20,618.32
135036	6/14/2024	CPWS - Broadband	\$300.00
135037	6/14/2024	Atmos Energy	\$233.83
135038	6/14/2024	AT&T	\$152.99
135039	6/14/2024	Maury Co Emergency Management	\$1,379.50
135040	6/14/2024	Daily Herald (Ads)	\$2,514.90
135041	6/14/2024	SRM Concrete	\$599.00
135042	6/14/2024	United Waste Haulers Of TN LLC	\$69.00
135043	6/14/2024	Mackel Reagan	\$200.00
135044	6/14/2024	Choice Screening	\$149.00
135045	6/14/2024	State Systems, LLC	\$287.00
135046	6/14/2024	Merchants Of Cool	\$425.00
135047	6/14/2024	Cintas Corporation #241	\$1,479.49
135048	6/14/2024	Summit Uniforms	\$285.00
135049	6/14/2024	Waypoint Business Solutions	\$8,622.34
135050	6/14/2024	T-Mobile Usa Inc	\$50.00
135051	6/14/2024	The Marbet Company	\$8,840.00
135052	6/14/2024	Dickens Turf & Landscape Supply	\$233.41
135053	6/14/2024	Motorola Solutions Inc	\$36,094.00
135054	6/14/2024	Reach Technologies	\$473.55
135055	6/14/2024	Apparel Masters of Tennessee	\$746.95

**CITY OF COLUMBIA
DISBURSEMENT REPORT
FOR THE PERIOD 6/1/2024 - 6/30/2024**

GENERAL FUND

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135056	6/14/2024	KCS Building Group LLC	\$181,989.80
135057	6/14/2024	STS Distribution	\$1,120.00
135058	6/14/2024	Liquidity Services Operations LLC	\$4,556.93
135059	6/14/2024	Volunteer Paving LLC	\$178.64
135060	6/14/2024	Verizon Connect	\$322.15
135061	6/14/2024	Freedom Hill Land Management	\$12,169.75
135062	6/14/2024	Waynes Pest Control	\$375.00
135063	6/14/2024	Vanderbilt Health	\$40.94
135064	6/14/2024	Dominion Window Washing	\$40.00
135065	6/14/2024	Wells Fargo Financial Leasing, Inc	\$243.57
135066	6/14/2024	Maury Regional Medical Group	\$1,584.00
135067	6/14/2024	Tyler Technologies, Inc	\$9,100.00
135068	6/14/2024	Krebs Kubota	\$2,540.38
135069	6/14/2024	Siddons-Martin Emergency Group LLC	\$635.19
135070	6/14/2024	Larry M Roe, Jr., Clerk & Master	\$39.25
135071	6/14/2024	VOID - VOID - VOID	\$0.00
135072	6/14/2024	SolarTech-Weakley	\$2,747.00
135073	6/14/2024	Ronald E Marks	\$300.00
135074	6/14/2024	Concord Investments, LLC	\$364.92
135075	6/14/2024	Jan Glover	\$75.00
135076	6/14/2024	Sandra Selle	\$75.00
135077	6/14/2024	Andrew Moss	\$75.00
135078	6/14/2024	Westminster Presbyterian Church	\$58.50
135079	6/14/2024	Michael W Schmidt	\$296.00
135080	6/17/2024	Maury Co United Way	\$557.00
135081	6/17/2024	Columbia Firefighter Assn	\$470.00
135082	6/17/2024	Tri Star Energy	\$15,259.58
135083	6/17/2024	Atmos Energy	\$143.84
135084	6/17/2024	Combined Insurance, a Chubb Company	\$774.36
135085	6/20/2024	Columbia Power & Water Systems	\$14,969.60
135086	6/20/2024	Mail Call	\$3,573.37
135087	6/20/2024	Sunbelt Rentals Inc	\$821.04
135088	6/20/2024	Office Warehouse LLC	\$2,790.00
135089	6/20/2024	Smith Turf & Irrigation Co	\$241.14
135090	6/20/2024	Break Time Services	\$152.50
135091	6/20/2024	Kimley-Horn & Associates, Inc	\$4,500.00
135092	6/20/2024	CPWS - Broadband	\$300.00
135093	6/20/2024	Atmos Energy	\$911.69
135094	6/20/2024	Cheryl Macpherson	\$572.00
135095	6/20/2024	SRM Concrete	\$1,714.50
135096	6/20/2024	United Waste Haulers Of TN LLC	\$138.00
135097	6/20/2024	Sewah Studios Inc	\$3,510.00
135098	6/20/2024	Waypoint Business Solutions	\$375.00
135099	6/20/2024	Knighthorst Shredding, LLC	\$230.00
135100	6/20/2024	Verizon Wireless 09	\$88.76
135101	6/20/2024	The Marbet Company	\$5,570.00
135102	6/20/2024	LanLink Communications, LLC	\$3,018.83
135103	6/20/2024	Landen Barber	\$572.00
135104	6/20/2024	Freedom Hill Land Management	\$1,075.00
135105	6/20/2024	Waynes Pest Control	\$1,085.00
135106	6/20/2024	Abbey Lynne Boram	\$572.00
135107	6/20/2024	Visual Media Co LLC	\$600.00

**CITY OF COLUMBIA
DISBURSEMENT REPORT
FOR THE PERIOD 6/1/2024 - 6/30/2024**

GENERAL FUND

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135108	6/20/2024	Tyler Technologies, Inc	\$5,200.00
135109	6/20/2024	Turf Tank	\$17,000.00
135110	6/21/2024	Columbia Power & Water Systems	\$388.13
135111	6/21/2024	Temple Inc	\$8,935.00
135112	6/21/2024	Lose Design - Lose & Associates, Inc	\$2,810.00
135113	6/21/2024	Break Time Services	\$96.00
135114	6/21/2024	Unum Life Insurance Co Of Amer	\$2,240.60
135115	6/21/2024	Atmos Energy	\$107.49
135116	6/21/2024	Cheryl Macpherson	\$428.00
135117	6/21/2024	State Systems, LLC	\$94.00
135118	6/21/2024	Cintas Corporation #241	\$52.04
135119	6/21/2024	Needle and Grain	\$5,193.75
135120	6/21/2024	Maury County 911	\$7,578.83
135121	6/21/2024	Landen Barber	\$428.00
135122	6/21/2024	T-Mobile	\$96.54
135123	6/21/2024	Waynes Pest Control	\$325.00
135124	6/21/2024	Abbey Lynne Boram	\$428.00
135125	6/21/2024	Siddons-Martin Emergency Group LLC	\$319.40
135126	6/21/2024	TN Property Management	\$4,566.93
135127	6/21/2024	Southern Stump LLC	\$540.00
135128	6/21/2024	PCA of Columbia dba Opus Pathology	\$29.76
135129	6/21/2024	Benton Potts	\$1,236.92

Total Purchase Cards:	\$	99,182.83
Total Payroll Transfers:	\$	1,498,780.09
Total Misc. Transfers:	\$	409,611.21
Total Checks: 178	\$	<u>964,595.18</u>
Total:	\$	2,972,169.31

STATE STREET AID

8132	6/6/2024	Columbia Power & Water Systems	\$2,754.34
8133	6/6/2024	Temple Inc	\$4,740.00
8134	6/6/2024	G & C Supply Co Inc	\$3,435.35
8135	6/6/2024	Cutting Edge Lawn and Landscapes	\$2,600.00
8136	6/6/2024	Millennium	\$286.57
8137	6/14/2024	Columbia Power & Water Systems	\$9,157.17
8138	6/21/2024	Columbia Power & Water Systems	\$9.45

Total Purchase Cards:	\$	4,104.42
Total Misc. Transfers:	\$	-
Total Checks: 7	\$	<u>22,982.88</u>
Total:	\$	27,087.30

SANITATION

22382	6/6/2024	Fleming Sheet Metal Shop	\$1,800.00
22383	6/6/2024	Maury County Solid Waste	\$110,904.33
22384	6/6/2024	United Waste Haulers Of TN LLC	\$1,121.47
22385	6/6/2024	Cintas Corporation #241	\$329.98
22386	6/6/2024	Colonial Life	\$522.50

**CITY OF COLUMBIA
DISBURSEMENT REPORT
FOR THE PERIOD 6/1/2024 - 6/30/2024**

SANITATION

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22387	6/6/2024	Main Street Media of TN	\$93.75
22388	6/6/2024	Wells Fargo Financial Leasing, Inc	\$134.26
22389	6/14/2024	Columbia Power & Water Systems	\$1,173.59
22390	6/14/2024	Fleming Sheet Metal Shop	\$1,800.00
22391	6/14/2024	Robert J Young Company LLC	\$19.13
22392	6/14/2024	Nixon Power Services LLC	\$1,512.00
22393	6/14/2024	Atmos Energy	\$44.00
22394	6/14/2024	Daily Herald (Ads)	\$215.64
22395	6/14/2024	United Waste Haulers Of TN LLC	\$1,895.62
22396	6/14/2024	Cintas Corporation #241	\$346.48
22397	6/14/2024	Marshall County Solid Waste and Recycling	\$2,015.65
22398	6/14/2024	Liquidity Services Operations LLC	\$148.12
22399	6/14/2024	Maury Regional Medical Group	\$122.00
22400	6/14/2024	John Yancey	\$675.00
22401	6/17/2024	Tri Star Energy	\$12,078.82
22402	6/17/2024	Combined Insurance, a Chubb Company	\$94.04
22403	6/21/2024	Maury County Solid Waste	\$116,462.32
22404	6/21/2024	Unum Life Insurance Co Of Amer	\$211.40
22405	6/21/2024	United Waste Haulers Of TN LLC	\$1,432.05

Total Purchase Cards:	\$	25,925.44
Total Payroll Transfers:	\$	74,987.18
Total Misc. Transfers:	\$	26,720.87
Total Checks: 24	\$	<u>255,152.15</u>
Total:	\$	382,785.64

WASTEWATER

48787	6/6/2024	Columbia Power & Water Systems	\$1,148.26
48788	6/6/2024	Columbia Oil Company Inc	\$195.40
48789	6/6/2024	Water Management Services LLC	\$10,080.00
48790	6/6/2024	Red Bud Supply Inc	\$187.84
48791	6/6/2024	Water & Waste Equipment Inc	\$864.31
48792	6/6/2024	Hach Company	\$1,420.00
48793	6/6/2024	Atmos Energy	\$46.60
48794	6/6/2024	Cintas Corporation #241	\$506.96
48795	6/6/2024	Colonial Life	\$1,031.26
48796	6/6/2024	Carter & VerPlanck, Inc.	\$7,772.00
48797	6/6/2024	Lawrenceburg Glass	\$7,000.00
48798	6/14/2024	Columbia Power & Water Systems	\$89,111.99
48799	6/14/2024	South Central Tennessee Development District	\$13,000.00
48800	6/14/2024	Thompson Machinery	\$1,800.00
48801	6/14/2024	Duck River Electric	\$3,296.60
48802	6/14/2024	ICM - Improved Construction Methods	\$1,071.00
48803	6/14/2024	Water Management Services LLC	\$2,755.00
48804	6/14/2024	Guthrie Sales & Service Inc	\$669.00
48805	6/14/2024	Dixie Diesel Service	\$1,191.51
48806	6/14/2024	TN Dept of Labor & Workforce	\$120.00
48807	6/14/2024	Brenntag Mid-South Inc	\$13,288.00
48808	6/14/2024	Applied Industrial Technologies	\$882.22
48809	6/14/2024	Robert J Young Company LLC	\$66.80
48810	6/14/2024	WM CORPORATE SERVICES, INC	\$18,422.04

**CITY OF COLUMBIA
DISBURSEMENT REPORT
FOR THE PERIOD 6/1/2024 - 6/30/2024**

WASTEWATER

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48811	6/14/2024	J R Wauford & Co Cons Eng, Inc	\$7,500.00
48812	6/14/2024	Best One Tire	\$740.00
48813	6/14/2024	Vulcan Materials Co	\$1,213.34
48814	6/14/2024	Nixon Power Services LLC	\$1,195.15
48815	6/14/2024	Tri Star Energy	\$2,045.59
48816	6/14/2024	Atmos Energy	\$54.77
48817	6/14/2024	Camfil Usa Inc	\$2,008.14
48818	6/14/2024	Cintas Corporation #241	\$506.96
48819	6/14/2024	BAR Environmental Supply, Inc.	\$9,586.80
48820	6/14/2024	Waypoint Analytical, LLC	\$68.00
48821	6/14/2024	UniFirst First Aid and Safety	\$291.99
48822	6/14/2024	Judy Construction Company	\$9,712.50
48823	6/14/2024	Cintas Corporation #241	\$506.96
48824	6/14/2024	BCV Systems LLC	\$3,054.00
48825	6/17/2024	WM CORPORATE SERVICES, INC	\$55,391.86
48826	6/17/2024	Tri Star Energy	\$5,295.01
48827	6/17/2024	Combined Insurance, a Chubb Company	\$29.40
48828	6/20/2024	Columbia Power & Water Systems	\$328.70
48829	6/20/2024	Southern Sales Co	\$2,048.16
48830	6/20/2024	Vulcan Materials Co	\$632.74
48831	6/20/2024	Xylem Dewatering Solutions Inc	\$187.50
48832	6/20/2024	BCV Systems LLC	\$10,757.00
48833	6/20/2024	UniFirst First Aid and Safety	\$310.58
48834	6/20/2024	Blue Cardinal Chemical, LLC	\$4,489.60
48835	6/21/2024	BMC Metalworks LLC	\$1,696.00
48836	6/21/2024	Columbia Power & Water Systems	\$169.24
48837	6/21/2024	Columbia Oil Company Inc	\$153.42
48838	6/21/2024	Southern Sales Co	\$2,542.59
48839	6/21/2024	Vulcan Materials Co	\$606.24
48840	6/21/2024	Unum Life Insurance Co Of Amer	\$519.40
48841	6/21/2024	J & M Supply Solutions	\$145.64
48842	6/21/2024	Atmos Energy	\$55.53
48843	6/21/2024	Cintas Corporation #241	\$506.96
48844	6/21/2024	ACT & C	\$2,007.52
48845	6/21/2024	Waynes Pest Control	\$150.00

Total Purchase Cards:	\$	20,776.70
Total Payroll Transfers:	\$	188,849.86
Total Misc. Transfers:	\$	53,425.47
Total Checks: 59	\$	302,434.08
Total:	\$	565,486.11

DRUG

5991	6/6/2024	Verizon Wireless	04	\$234.40
5992	6/6/2024	Verizon - (Police Dept)		\$267.99
5993	6/20/2024	DB Software Associates		\$295.00

Total Purchase Cards:	\$	233.90
Total Checks: 3	\$	797.39
Total:	\$	1,031.29

**CITY OF COLUMBIA
DISBURSEMENT REPORT
FOR THE PERIOD 6/1/2024 - 6/30/2024**

INSURANCE

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3096	6/14/2024	Maury Regional Hospital Marshall Medical Ctr	\$5,246.00
3097	6/14/2024	Sun Life Financial	\$40,784.28
3098	6/20/2024	United States Treasury	\$1,800.72

Total Misc. Transfers:	\$	404,991.96
Total Checks: 3	\$	<u>47,831.00</u>
Total:	\$	452,822.96

CAPITAL PROJECTS

3079	6/7/2024	Maury Co Circuit Court Clerk	\$18.00
3080	6/14/2024	Brindley Construction	\$204,250.00
3081	6/14/2024	Geo-Technology Associates, Inc	\$1,056.25
3082	6/14/2024	Gresham Smith & Partners	\$2,448.97
3083	6/21/2024	City Of Col & Brindley Co	\$50,139.17

Total Purchase Cards:	\$	-
Total Misc. Transfers:	\$	-
Total Checks: 5	\$	<u>257,912.39</u>
Total:	\$	257,912.39



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Sommar Jaynes, Purchasing Agent, sjaynes@columbiatn.gov, 931-560-1580

AGENDA ITEM TITLE: APPROVE A BID AWARD AND AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH COLUMBIA OIL CO. INC. FOR FLEET REFUELING AND BULK DIESEL DELIVERY

RECOMMENDATION: Approve.

INFORMATION: An invitation to bid to supply gasoline through vendor operated stations and to supply bulk diesel to City owned facilities was opened on July 30, 2024. Since the City lacks any storage facilities for gasoline purchases, it requires that we depend upon a vendor supplied solutions for storage and dispensing gasoline. Diesel on the other hand is purchased in bulk and stored in a 12,000 gallon tank located at the Public Works facility, as well as a couple of smaller tanks located at Ridley Park and our Wastewater Facility.

We received two bids for bulk diesel and gasoline. Columbia Oil was the lowest bid for both aspects of the invitation. Diesel will be priced at \$.08 over the DTN rack price at the date of delivery and gasoline will be dispensed through Columbia Oil's facility at \$.10 over the OPS cost.

The agreement if approved will be for a one-year period and renewable for two additional one-year terms at the discretion of the City.

CERTIFICATION: The Chief Financial Officer certifies that funds are budgeted and unencumbered across multiple city department budgets.

ATTACHMENTS: Staff Report, Contract.

CITY OF COLUMBIA TENNESSEE

CONTRACT FORM

This CONTRACT, executed this _____ day of August, 2024, by and between the CITY OF COLUMBIA, hereinafter called "City" party of the first part, and Columbia Oil Co. Inc., Telephone No. (931) 388-1316, hereinafter called "Contractor", party of the second part.

RECITALS

In consideration of the below agreements and covenants set forth herein, the parties agree as follows:

CONTRACT SUPERVISOR

As used herein the contract supervisor shall mean Sommar Jaynes, at (931) 560-1580, or other persons that may henceforth hold the position of purchasing agent for the City of Columbia.

SECTION I - DESCRIPTION OF SERVICES TO BE PROVIDED

The Contractor has agreed to provide for fleet refueling of City vehicles at Contractor affiliated or controlled facilities located in or around the City of Columbia as may exist now or in the future exist. Fleet refueling may require all grades of gasoline as well as diesel fuel.

SECTION II - TIME OF PERFORMANCE

Contract period shall commence upon execution and terminate August 8, 2025. This agreement may be renewed annually thereafter for two consecutive one year periods at the discretion of the City. Unless otherwise cancelled under the terms and conditions as further described in Section IX of this contract, this agreement may be extended by mutual agreement on a month by month basis once all renewal periods have expired.

SECTION III - COMPENSATION

The contractor will be compensated for all gasoline based upon OPIS weekly cost plus \$.10 per gallon. Diesel purchases shall be priced at the DTN rack average price at time of purchase plus \$.05 per gallon including delivery charge.

Contractor shall invoice on a monthly basis and shall include detailed date, time, driver, vehicle, and quantity of fuel purchased as well as total purchase price for each purchase. Purchases shall further be tracked and invoiced to the City Department responsible for the purchase.

Contractor shall make available to the City documentation of DTN rack pricing and OPIS cost for all fuel grades purchased in effect for the last week of each calendar quarter. This documentation shall be due on

or before the 15th of the month following the close of the calendar quarter and shall be delivered to the contract supervisor.

SECTION IV - CONFORMANCE WITH BID

It is understood that all terms and conditions as stated in the Solicitation 999-0724-03 for Gasoline and Bulk Diesel Delivery on file in the Office of Purchasing Agent for the City shall be applicable to this agreement. All documents submitted by the Contractor in relation to said bid, and all documents promulgated by the City for inviting bids are, by reference, made a part hereof as if set forth herein in full.

SECTION V - COMPLIANCE

The Contractor shall comply with all applicable laws, ordinances and codes and shall, at his own expense, secure and pay all fees and charges for all license and permits required for the performance of the contract. All products furnished and work performed shall comply with all local, state and federal laws and regulations.

SECTION VI - ADDITIONAL REQUIREMENTS

In the event of any conflict between the terms and conditions, appearing on any purchase order issued relative to this Contract, and those contained in this Contract and the Specifications herein referenced, the terms of this Contract and Specifications herein referenced shall apply.

The City of Columbia shall have access to and the ability to purchase gasoline from all designated fueling locations that now or may later be part of the Columbia Oil or other fleet refueling service with which Contractor may affiliate.

The Contractor shall make available to the City without further cost fleet fueling cards for each city owned vehicle as may exist during the terms of this agreement. The Contractor further agrees to maintain the fleet fueling cards to City specifications to include issuance, termination, changes and fueling restrictions during the life of this agreement.

SECTION VII - INSURANCE

The Contractor shall furnish the City proof of Automobile Coverage in an amount not less than \$500,000.00 and General Liability Coverage in an amount not less than \$1,000,000.00. The City shall be named an additional insured with proper endorsement by the issuing insurance company.

SECTION VIII - ASSIGNMENT

Contractor shall not delegate, sublet or subcontract any part of this contract or assign any monies due him hereunder without first obtaining the written consent of the City.

SECTION IX - TERMINATION

If the Contractor refuses or fails to perform the work or provide the fuel as required and within the time specified in this contract, City by written notice to the Contractor may terminate this contract 15 days after notification. The Contractor shall be entitled to payment for all work completed or items delivered up to the date of termination but no more. Any notice of termination shall be effective at the time of mailing.

SECTION X - LAW AND VENUE

This agreement is to be construed as though made in and to be performed in the State of Tennessee and is to be governed by the laws of Tennessee in all respects without reference to the laws of any other state or nation. The venue of any action taken pursuant to this contract shall be in Maury County, Tennessee.

SECTION XI - APPROPRIATION APPROVAL

The Contractor acknowledges that this contract is subject to budget appropriation as approved by Columbia City Council. The Contractor agrees that, in the event such appropriation is not forthcoming, this contract may be terminated by the City and that no charges, penalties or other costs shall be assessed. Contractor shall be entitled to payment for all fuel purchased up to the time of non-appropriation.

SECTION XII - ENTIRE AGREEMENT

The written terms and provisions of this contract shall supersede all prior verbal statements of any official or other representative of the City. Such statements shall not be effective or be construed as entering into, or forming a part of, or altering in any manner whatsoever, this contract or contract documents.

IN WITNESS WHEREOF, the parties have executed this contract at Columbia, Tennessee the day and year first above written.

CITY OF COLUMBIA TENNESSEE

Columbia Oil Co.Inc.

By: _____
Mayor

BY: _____

TITLE: _____

ATTEST:

By: _____
City Recorder

Approved as to legal form: _____
C. Tim Tisher, Attorney



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Sommar Jaynes, Purchasing Agent, sjaynes@columbiatn.gov, 931-560-1580

AGENDA ITEM TITLE: APPROVE THE BID AWARD AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT WITH TN PROPERTY MANAGEMENT FOR THE MOWING SERVICES ALONG THE NORTH GATEWAY MEDIAN AREAS LOCATED ON NASHVILLE HWY

RECOMMENDATION: Approve.

INFORMATION: Bids were solicited for the mowing of the North Gateway Median Areas located on Nashville Hwy for the 2024 seasons. Bidders were given the option to offer bids for the 2025 and 2026 mowing seasons as well. We had six bidders respond. Due to the low bidder not returning all of the required information, the decision was made to go with the second lowest bidder, TN Property Management. A recommendation is made that an award be made based upon the per mowing fee of \$1,200 for the 2024 mowing season and permit the extension of the award for two consecutive annual mowing seasons at the option of the City for \$1,250 for 2025 and \$1,300 for 2026.

CERTIFICATION: The Chief Financial Officer certifies that \$10,000 is budgeted and unencumbered in State Street Aid-Other.

ATTACHMENTS: Staff Report, Contract.

**Agreement for Landscaping Services
Between
City of Columbia
And
Tennessee Property Management LLC**

This is an agreement made this ____ day of August 2024 between The City of Columbia, Tennessee (City) and Tennessee Property Management LLC (Company).

Section 1 – Services to be Provided

The company shall provide mowing and litter control services to the City as described in the Invitation to Bid- Mowing Services – Nashville Hwy, solicitation # 999-0724-01, a copy of which is included and identified as Attachment 1.

Section 2 – City Responsibilities

The City shall be responsible for making timely payments to the Company based upon conditions described in Section 4.

Section 3 – Periods of Service

This agreement shall be effective upon approval by the City Council of The City of Columbia, beginning September 1, 2024 and execution by all parties for a period of one year with the purchasing agent for the City of Columbia retaining the option to extend the contract for two additional one-year terms.

Section 4 – Payments and Compensation

The Company shall be compensated for services rendered on a monthly basis in an amount as further described in the Company's bid response dated 7/29/2024 which is attached hereto and identified as Attachment 2. The Company shall be responsible to invoice the City on a monthly basis.

Section 5 – General Considerations

5.1 Termination.

In the event the Company fails to perform its obligations under this agreement in a timely fashion or as described in Attachment 1, the City shall notify the Company of such deficiencies in writing. The Company shall have 15 days after receipt of the notice to correct the deficiency otherwise the City may terminate this agreement. The Company shall be entitled to all completed services through the date of the termination.

5.2 Non-Appropriation of Funds

In the event the City fails to appropriate funds for this service described in Attachment 1, this agreement shall be null and void.

The City shall be responsible to notify the Company in writing in timely manner should funds for the service not be appropriated.

The Company shall be entitled to payment for a completed service up to the date of non-appropriation.

5.3 Insurance

The Company shall maintain at its own expense workers compensation insurance and all other insurance as maybe further described in Attachment 1 for protection from claims which may arise as a result of any and all work performed for and on behalf of the City.

5.4 Controlling Laws

This agreement is to be governed by the laws of The State of Tennessee in all respects without reference to the laws of any other state or nation. The venue of any action taken pursuant to this contract shall be in Maury County, Tennessee.

5.5 Assignment

The Company shall not delegate, sublet or subcontract any part of this contract or assign any monies due him hereunder without first obtaining the written consent of the City.

5.6 Entirety

The written terms and provisions of this agreement shall supersede all prior verbal statements of any official or other representative of the City. Such statements shall not be effective or be construed as entering into, or forming a part of, or altering in any manner whatsoever, this agreement or agreement documents. This agreement may only be amended in writing.

5.7 Severability

Should any provision, paragraph, sentence, word or phrase contained herein be deemed to be illegal, invalid or otherwise unenforceable, such provision, paragraph, sentence, word or phrase shall be deemed to be modified to conform to law or else shall be deemed severable. In any event the remainder of the agreement shall remain unmodified and enforceable.

5.8 Attachments

All attachments hereto are made a part hereof as if fully set forth herein.

5.9 Consultant Relationship

Nothing in this agreement shall be construed to create an employer / employee relationship between the parties.

City of Columbia
700 North Garden St.
Columbia TN 38401

Accepted and Agreed:
City of Columbia

By _____
Charles (Chaz) M. Molder, Mayor

Attested:

By _____
Thad H. Jablonski, City Recorder

Approved as to Legal Form:

By C. Tim Tisher
C. Tim Tisher, City Attorney

Tennessee Property Management LLC
68 Lighthouse Drive
Summertown, TN 38483

Accepted and Agreed:

By _____
Donald Simmons, Owner

Attachment 1



Invitation to Bid – Mowing Services –Nashville Hwy July 15, 2024 Solicitation # 999-0724-01

Sealed bids, subject to the specifications and conditions contained herein and attached hereto, will be received in the City Manager's Office, City Hall, until, but no later than **2:00 P.M.CDT, July 29, 2024**, and then publicly opened and read aloud for Mowing Services Nashville Hwy North Gateway Median area.

If you are an individual with a disability and require a reasonable accommodation or have additional questions regarding this invitation, please notify the Purchasing Agent, Sommar Jaynes at (931) 560-1580.

No bid may be withdrawn after the scheduled closing time for receipt of bids for sixty (60) calendar days.

Bid Instructions

To be considered, you must:

1. Vendors are requested to register online by using the online link furnished on our web page <http://www.vendorregistry.com/columbia-tn-vendor-registration> . Paper applications are also available on the City's website: www.columbiatn.com
2. A completed bid sheet.
3. All forms must be signed by a representative of the bidder with the authority to bind the bidder.
4. All required documents shall be returned to Purchasing Agent, City Manager's Office, City Hall, 700 North Garden St., Columbia, TN 38401.
5. Bid envelopes shall be identified on the outside with **ITB Mowing Services – Nashville Hwy** and opening date of bid, July 29, 2024.

Time is of the essence and any bid received after the announced time and date for submittal, whether by mail or otherwise, will be rejected. The time of receipt shall be determined by the City Manager's Office. Bidders are responsible for ensuring that their bids are stamped by City Manager's Office personnel before the deadline indicated. Late bids received will be so noted in the bid file and the bid will be returned unopened. Faxed or E-mailed bids will not be accepted.

Nothing herein is intended to exclude any responsible vendor, his product or service or in any way restrain or restrict competition. On the contrary, all responsible vendors are encouraged to bid and their bids are solicited. The City of Columbia is compliant with Title VI of the 1964 Civil Rights Act and as a result does not discriminate on the grounds of race, color or national origin nor does it excluded from participation in, or denies the benefit of any program or activity receiving federal financial assistance.

All cost associated with the preparation of this bid or its delivery shall be borne solely by the bidder.

1. SCOPE

The City of Columbia is seeking bids from responsible vendor to provide mowing and litter control of the North Gateway Median areas located on Nashville Hwy (Hwy 31 North) being the entrance of Columbia City limits, from Old Highway 31 to UT Experiment Station Main Entrance Drive. Area to be included will be median, both sides of Nashville Hwy (Hwy 31 North) and areas around Donald F Ephlin Parkway ramps as shown on the attached maps. It is anticipated that the award for this service will be for a period of one year with the City retaining the option to renew the award for two additional one-year periods. The service will include all labor, equipment and materials required to adequately maintain the identified areas as further described herein.

2. GENERAL CONDITIONS

1. **Acceptance of Bids:** The City of Columbia reserves the right to reject any and all bids, to waive any informal technicalities or defects, the scope and nature of which it shall be the sole judge, in any bid, insofar as such technicality or defects do not legally, materially or substantially change such bid. The said City, unless otherwise specified by the bidder, reserves the right to accept any item on bid.
If the bidder fails to state the time within which a bid must be accepted, it is understood and agreed that said City shall have ninety (90) days from bid opening date in which to accept bid.
2. **Error in Bid:** In case of error in the extension prices in the bid, the unit price governs. No bid shall be altered, amended or withdraw, unless the acceptance date has expired, after the opening date of bids. Negligence on the part of the bidder in preparing the bid confers no right for withdrawal of the bid after it has been opened.
3. **Discount Period:** Time in connection with discount offered will be computed from the date of delivery, or from the date correct invoices are received, whichever date is later. Discount other than "Time Discounts" shall be shown on the face of the proposal sheet under "Terms".
4. **Sample of Materials:** Samples of items, when requested, must be furnished free of expense to the City, at the time bids are opened or later if such are called for after the bids have been opened, and if such samples are not destroyed in the process of sampling, they will be returned at the bidder's expense.
5. **Signatures on Bids:** Each bid must contain the full name and business address of the bidder. Any person signing a proposal sheet for himself or as agent, employee or officer of another must show his title and, if requested by the City shall furnish proof of his authority to make such proposal.
6. **Alternate Bids:** Alternate bids will be considered proving such items that appear on such bids meet specifications. Where equivalent items are bid upon, said City reserves the sole right in determining whether they meet specifications.
7. **Bid Sheets:** Bidders shall use the bid sheets furnished by the City unless otherwise instructed herein. Failure to submit this sheet as required shall render the proposal invalid. Bid sheets must contain prices on per unit and aggregate basis and the total amount of the bid must be stated on the bid sheet.
8. **Federal or State Sales, Excise or Use Tax:** Every bid shall separately state and set forth, therein the amount of any and all Federal and State sales, excise or use taxes included in the bid prices. If any such taxes are included in the prices bid, the City reserves the right in making the award to deduct any amount of such taxes thereof. Where labor is required, the bidder shall state separately the amount of labor and materials.
9. **Delivery:** The number of calendar days in which delivery will be made after contract is executed and purchase order placed shall be stated in the bid. When the bidder states no time delivery, it is understood and agreed that delivery is to be made within fifteen (15) days after receipt of order, unless otherwise stated in the specifications.
10. **Compliance:** Contractor shall abide by all federal, state and local laws and statutes and obtain all permits required in number fifteen (15) of these conditions.
11. **Specifications:** It is understood that reference to attached specifications shall be sufficient to make the terms of such specifications binding on the contractor. In some instances, the name of the manufacturer, a special brand, or make of an item is used in describing the item or items desired; but this does not restrict the bidder to that manufacturer or specific article, this means being used simply to indicate the character or quality of the article or service desired; but the articles or service on which the proposal are submitted must be equal to that specified, and a statement to that effect shall be made a part of the proposal. Where conflict occurs between the requirement or the General Conditions and the specifications, the requirements of the specifications will govern.

12. **Inspection:** Final inspection and acceptance or rejection will be made at the time of delivery, but all products and workmanship shall be subject to inspection and test at all times and places. The right is reserved to reject articles that contain defective material and workmanship. Rejected materials shall be removed by and at the expense of the contractor promptly after notification of rejection. The City shall not be obligated to pay the full price for any items that do not meet specifications; however, payment may be made at a proper reduction in price.
13. **Bid Opening:** Bids may be mailed or delivered to the Purchasing Agent of the City of Columbia, Tennessee. All bids will be opened and publicly read at a time specified within this invitation. Bids received after the specified time for opening, as shown on the invitation to bid, will not be accepted.
14. **Cancellation:** The City reserves the right to cancel an accepted bid or contract in whole or in part due to nonperformance or defective products.
15. **Permit Requirements:** Successful bidder will be responsible for securing any necessary permits for complying with all required inspections whether local state or federal.
16. **Multi-Year Contracts:** The City reserves the right to enter into multi-year contracts and further has the right to terminate multi year contracts due to non-appropriation of funds.
17. **Financial Statements:** Financial statements will be submitted upon request.
18. **Term of Payment:** Payment will be made in full after the satisfactory receipt of goods, materials, supplies, and equipment. Payment will be made in full upon satisfactory completion of all contractual services, public improvements and/or construction. Executed contracts must specifically state if there is any partial payment or other deviation from this method of payment.
19. **Complaints – Vendors**

Vendors shall have the right to present a complaint, dispute or grievance concerning unfair treatment, contracts, deliveries, payments, restrictions, and other incidents. The following steps are intended to provide uniform procedures for a vendor to express a problem and obtain remedy.

 - a. Step One - Vendor must file a grievance with the Purchasing Agent no later than seven (7) calendar days after the occurrence of the dispute or incident. The complaint must be in writing and include all supporting data and desired solution or remedy. The Purchasing Agent will forward a copy of the complaint with the user department who shall provide a written reply within thirty (30) days to the Purchasing Agent who will review the response and if agreement forward the decision to the vendor.
 - b. Step Two – If the vendor is not satisfied with the Purchasing Agent's response, the vendor may appeal in writing to the City Manager within 10 day from the date of the Purchasing Agent's response, who shall with the advice of the Purchasing Agent and/or City Attorney, make a written determination to all parties involved. The City Manager's decision shall be final.

3. SPECIAL CONDITIONS

- 3.1 All vendors are encouraged but not required to inspect all areas and review all plans prior to the submission of a bid. Failure to adequately inspect the areas or review the plans shall not be grounds for modification of the bid or terms and conditions thereof after bid opening.
- 3.2 All bids shall either acknowledge the acceptance of the areas as they currently exist or shall note in the bid any problems with the area.
- 3.3 Bids shall include the flat fee per mowing occurrences for one year to be done for the existing areas as well as a flat fee per mowing fee for two additional one-year extensions.
- 3.4 Any extension shall be at the option of the Purchasing Agent for the City of Columbia.
- 3.5 All bidders shall supply a list of at least 3 references for work they have performed of a similar nature.

4. INSURANCE

The awarded vendor shall purchase and maintain in force, at his own expense, such insurance as will protect him and the City from claims which may arise out of or result from the Vendor's execution of the work,

whether such execution be by himself, his employees, agents, subcontractors, or by anyone for whose acts any of them may be liable. The insurance coverage shall be such as to fully protect the Owner, the City and the general public from any and all claims for injury and damage resulting by any actions on the part of the vendor or his forces as enumerated above. The vendor shall furnish, a copy of an original Certificate of Insurance, naming City of Columbia as an additional insured. Should any of the policies be cancelled before the expiration date, the issuing company will mail 30 days written notice to the certificate holder. The vendor shall furnish insurance in satisfactory limits, and on forms and of companies that are acceptable to the City of Columbia and shall require and show evidence of insurance coverage on behalf of any subcontractors (if applicable), before entering into any agreement to sublet any part of the work to be done as a result of awarding this bid.

The following insurance requirements are the minimum that will be acceptable:

1. Worker's Compensation Insurance – State statutory limits.
2. Commercial General Liability - Including products and completed operations coverage and contractual liability on the amount of \$1,000,000 CSL (combined single limit).
3. Automobile Insurance - Commercial Automobile Liability including owned, non-owned and hired car in the amount of \$1,000,000 CSL.

5. LAWS, TAXES AND INDEMNIFICATION – The successful vendor shall comply with all applicable local, State and Federal laws. The vendor is further responsible for all taxes associated with providing services under this contract to include all employment related taxes. The vendor agrees to hold harmless and indemnify the City for any and all losses the City may sustain as a result of the actions of the vendor, his employees, or any subcontractors hired as a result of or performing work as a result of an awarded bid.

6. TIME OF THE ESSENCE - Time is of the essence in the performance of a resulting contract. Repeated delays shall be interpreted as failure to meet obligations and shall be cause for cancellation of any purchase order, agreement or contract executed as a result of the bid award.

7. PAYMENTS - Payment will be made after all following conditions have been met:

7.1 Within seven (7) days of submitting occurrence invoices to the Purchasing Agent for the City of Columbia.

8. CANCELLATION – The City reserves the right to cancel any agreement for the following reasons:

- 8.1 Non – appropriation of funds
- 8.2 Failure of the Contractor to perform the services to the satisfaction of the City.
- 8.3 Due to non-renewal on the anniversary date of the award.

9. SPECIFICATIONS & REQUIREMENTS

The City understands the mowing regularity will change dependent upon the natural conditions of rain, heat, sun etc. as such a mowing height will be used to measure the needed frequency of cutting. Grass shall be mowed to an average height of 4 inches and the mowing areas shall not on average exceed a height of 8 inches.

Site locations:

The areas outlined in red on the attached maps excluding the landscaped beds are to be mowed.

- A. Mowing of all area on both sides of Nashville Hwy and medians with and without landscaping beds from Old Hwy 31 going north to Main Entrance Dr. off Nashville Hwy.

Required Services:

Litter Control – Litter control shall be performed prior to mowing of area.

- A. Litter control shall consist of the removal of all paper, plastic, metal, trash, debris, rocks, leaves, or sticks from areas.
- B. Litter must be removed by the contractor from the site and shall not be placed on streets, curbs or in City trash receptacles.

10. Responsibilities of the Parties

A. Vendor –

- 1. Shall perform all services as defined herein.
- 2. Shall in writing inform the City immediately of any conditions that affect the areas or safety of the public.
- 3. Shall have adequate equipment and staff to perform services on a timely basis.
- 4. Shall have adequate knowledge and experience in mowing of this nature.
- 5. Shall have all necessary permits and licenses required to perform the services required.
- 6. Shall submit monthly invoices for services to the City of Columbia Finance Department.
- 7. Shall at all times not block or impede traffic flow, provide safety equipment and clothing and insure it is worn at all times. Limit or restrict discharge of mowers into traffic lanes. Provide flagman or warning devices if working in median.

B. The City –

- 1. The City shall reimburse the vendor on a monthly basis and at the mowing rate per occurrence as bid or as agreed upon for any future renewals.
- 2. Shall approve in writing any additional work to be performed prior to the work being performed.
- 3. May inspect all areas on a monthly basis for compliance to the terms of this agreement and provide the contractor with any areas of concern when and if they are identified.
- 4. Provide the vendor a written notice of concerns regarding required services noted on inspection and allow the vendor 30 days from the date of the notice to remedy the problems. Failure to adequately address any problems noted may result in termination of the agreement.

11. Contract for Services – The awarded vendor will be required to execute a contract for services with the City of Columbia which shall incorporate this invitation to bid and the vendor's response.

12. Award of the bid – A recommendation for award will be made to the lowest responsive, responsible vendor and the following conditions have been met:

- 1. Proof of insurance as required herein has been furnished.
- 2. Listing of three reference for which similar services have been provided.

Attachment 2

Invitation to Bid: Mowing Services – Nashville Hwy

Solicitation # 999-0724-01

Bid Opening: 7/29/2024; 2:00 PM

Vendor	1 st Year / Month	2 nd Year / Month	3 rd Year / Month
Emerald Green Landscaping Lee Hargrove 931-447-5520 emeraldgreenlandscapingllc@gmail.com	\$560.00	\$560.00	\$560.00
TN Property Management 68 Lighthouse Dr Summertown, TN 38483	\$1,200.00	\$1,250.00	\$1,300.00
Noble Landscaping Brandon Crews 615-557-8426 Brandon.crews@noblelandscapemgmt.com	\$1,295.00	\$1,325.00	\$1,350.00
Cutting Edge Lawn & Landscape 869 Mt Olivet Rd Columbia, TN 38401	\$1,300.00	\$1,300.00	\$1,300.00
3 C's Lawncare 457 Myatt Dr Madison, TN 37115	\$1,300.00	\$1,300.00	\$1,350.00
Freedom Hill Land Management P O Box 1118 Columbia, TN 38401	\$1,296.00	\$1,296.00	\$1,296.00

This is a tabulation of all bids received.
Sommar Jaynes, Purchasing Agent



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Thad Jablonski, tjablonski@columbiatn.gov, 931-560-1580

AGENDA ITEM TITLE: APPROVE ANNUAL RENEWAL OF PROPERTY INSURANCE WITH THE TML PUBLIC ENTITY PARTNERS IN THE AMOUNT OF \$244,369.00

RECOMMENDATION: Approve renewal of City property insurance and authorize payment to Public Entity Partners in the amount of \$244,369.00

INFORMATION: The City of Columbia obtains property insurance coverage through the Tennessee Municipal League's Public Entity Partners (PEP). The policy renewal for property (buildings and contents, computer equipment and mobile equipment) is July 1 of each year. An invoice for property insurance premium renewal has been received from PEP and is due for payment.

The annual premium was \$197,344 for FY 2024, \$161,591 for FY 2023, \$152,098 for FY 2022, and \$128,929 for FY 2021.

The invoice received for FY 2025 totals \$244,369. The value of city assets covered under the proposed policy increased in 2025. The increased valuation is in line with other entities that insure municipal/county governments. The city's property additions to the policy during FY 2024 and FY 2025 exceeded deletions/reductions.

The PEP Board voted not to approve a member dividend credit for FY 2025 (the same as nominal increase for FY 2024).

A breakdown of cost by fund is as follows:

General Fund	71,037
Sanitation Fund	2,151
Wastewater Fund	171,181
Total	\$ 244,369

CERTIFICATION: The Chief Financial Officer certifies that funds are budgeted and unencumbered within the General, Sanitation and Wastewater funds in the amounts of \$71,037, \$2,151 and \$171,181, respectively, for the payment of property insurance renewal premium.

ATTACHMENTS: Staff Report, Invoice.



(800) 624-9698

www.PEpartners.org

Invoice Date: 7/2/2024

Invoice Due Date: 8/16/2024

Invoice Number: 2550051-IN

COLUMBIA, CITY OF
FINANCE DEPARTMENT
700 NORTH GARDEN STREET
COLUMBIA, TN 38401

Location Code: 8341

Agent Number: 2089

Account Number: 50-0102960

Policy No.: PPR-8341-25

Policy Period: 07/01/2024 to 07/01/2025

Renewal-Single Payment

Billing Period: 07/01/2024 to 07/01/2025

Code	Description of Coverages	Amount
51C	BUILDINGS & PERSONAL PROPERTY	\$240,069.00
52C	EDP EQUIPMENT	\$757.00
53C	MOBILE EQUIPMENT	\$3,543.00

*Please send a copy of invoice
with payment to:*

Total Invoice: \$244,369.00

PUBLIC ENTITY PARTNERS
PO BOX 116553
ATLANTA, GA 30368-6553



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Thad Jablonski, tjablonski@columbiatn.gov, 931-560-1580

AGENDA ITEM TITLE: APPROVE PAYMENT TO MAURY COUNTY TO PROVIDE FUNDING FOR THE MAURY COUNTY/CITY OF COLUMBIA ANIMAL SERVICES FACILITY FOR THE FOURTH QUARTER OF FY 2024 \$50,000

RECOMMENDATION: Approve.

INFORMATION: On April 14, 2016, the City Council approved an extension of the 2008 agreement with Maury County for operation of the Animal Services Facility. The 2008 agreement and extension specified that the City and County will split operating expenses (over and above revenue derived from the operation of the facility) 50/50.

The 2016 contract extension terminated on October 2, 2018. The City's FY 2024 budget includes \$200,000 for the City's contribution towards facility operations, or \$50,000 per quarter. An invoice has been received for the fourth quarter of FY 2024, which exceeds \$50,000. The invoice and supporting documentation have been reviewed by Finance.

As the operating agreement has expired, City Council approval is necessary prior to any payment towards shelter operation costs.

CERTIFICATION: The Chief Financial Officer certifies that \$50,000 is budgeted and unencumbered in General Government-Animal Control.

ATTACHMENTS: Staff Report, Invoice.

Maury County Government

INVOICE

One Public Square
Columbia, TN. 38401
Phone 931.375.2305 Fax 931.375.2319

DATE: July 8, 2024
INVOICE # FY2023-2024 Q4
FOR: Animal Shelter Maintenance

Bill To:
Thad Jablonski, Finance Director
City of Columbia
700 North Garden Street
Columbia, TN.
931.560.1510

DESCRIPTION				AMOUNT
Revenue:				
Animal Shelter Revenue, 4/1/2024-6/30/2024				\$ 3,622.50
Subtotal				\$ 3,622.50
Expenditures:				
Operational, 4/1/2024-6/30/2024				\$ 349,624.81
Labor to repair toilet in women's restroom on 5/13/2024				
Hourly Rate	Hours Worked			
Johnnie Shipp	\$28.58	1		\$28.58
Robert Walker	\$26.88	1		\$26.88
Labor to repair water leak in extended stay room on 5/15/2024				
Hourly Rate	Hours Worked			
Jeff Thomas	\$34.52	1		\$34.52
Robert Walker	\$26.88	1		\$26.88
Labor to repair shower in men's restroom on 5/29/2024				
Hourly Rate	Hours Worked			
Johnnie Shipp	\$28.58	1		\$28.58
Robert Walker	\$26.88	1		\$26.88
Labor to purchase, deliver, & set up 8 portable air conditioning units on 6/24/2024				
Hourly Rate	Hours Worked			
Robert Walker	\$30.13	1		\$30.13
Johnnie Shipp	\$31.76	1		\$31.76
Jeff Thomas	\$38.31	1		\$38.31
Purchase of 8 portable air conditioning units on 6/24/2024				
Lowe's				\$5,312.40
Labor to replace light bulbs on 6/28/2024				
Hourly Rate	Hours Worked			
Robert Walker	\$30.13	1		\$30.13
Johnnie Shipp	\$31.76	1		\$31.76
Subtotal				\$ 355,271.62
Net Total for Q4 FY 2023/2024 Operating Expenses				\$ 351,649.12
TOTAL DUE				\$ 175,824.56

Make all checks payable to Maury County Government
If you have any questions concerning this invoice, contact Brooke Brady (931) 375-2305, bbrady@maurycounty-tn.gov

Page 1 of 1

Template Name:
Created By: LGC

Maury County Finance Department
Account Analysis
April 2024 - June 2024

User:
Date/Time:

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7/3/2024 3:17 PM
Page 1 of 1

Fund: 101 General

Account Number : 101- -44150

Sale Of Animals/Livestock

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/10/2024	13696		CR	Animal Shelter - Money from Local Veterinarians	0.00	1,153.50	(1,153.50)
Monthly Totals: 101- -44150					0.00	1,153.50	(1,153.50)
05/03/2024	13987		CR	Animal Shelter - Money from Local Veterinarians	0.00	483.00	(483.00)
05/16/2024	14047		CR	Animal Services	0.00	723.00	(1,206.00)
Monthly Totals: 101- -44150					0.00	1,206.00	(1,206.00)
06/07/2024	14240		CR	Animal Services	0.00	657.00	(657.00)
06/21/2024	14363		CR	Animal Shelter - Animal Services - Local Vets	0.00	472.50	(1,129.50)
06/28/2024	14416		CR	East Side Animal Hospital - Animal Services - Dep	0.00	133.50	(1,263.00)
Monthly Totals: 101- -44150					0.00	1,263.00	(1,263.00)
Fund Totals:			101		0.00	3,622.50	

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Created By: LGC

Maury County Finance Department
Account Analysis
April 2024 - June 2024

User:
Date/Time:

Brooke Brady
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Page 1 of 23

Fund: 101 General

Account Number : 101- -55120-101-55010

Animal Shelter - County Official/Administrative Officer - Animal

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/15/2024	286		PA	Payroll Summary - 3-Salary	2,666.73	0.00	2,666.73
04/30/2024	298		PA	Payroll Summary - 3-Salary	2,666.73	0.00	5,333.46
Monthly Totals: 101- -55120-101-55010					5,333.46	0.00	5,333.46
05/15/2024	312		PA	Payroll Summary - 3-Salary	2,666.73	0.00	2,666.73
05/31/2024	331		PA	Payroll Summary - 3-Salary	2,666.73	0.00	5,333.46
Monthly Totals: 101- -55120-101-55010					5,333.46	0.00	5,333.46
06/14/2024	344		PA	Payroll Summary - 3-Salary	2,666.73	0.00	2,666.73
06/28/2024	365		PA	Payroll Summary - 3-Salary	2,800.21	0.00	5,466.94
Monthly Totals: 101- -55120-101-55010					5,466.94	0.00	5,466.94

Fund: 101 General

Account Number : 101- -55120-169-55010

Animal Shelter - Part-Time Personnel - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/19/2024	295		PA	Payroll Summary - 2-Hourly	383.63	0.00	383.63
Monthly Totals: 101- -55120-169-55010					383.63	0.00	383.63
05/03/2024	310		PA	Payroll Summary - 2-Hourly	656.63	0.00	656.63
05/17/2024	330		PA	Payroll Summary - 2-Hourly	769.21	0.00	1,425.84
05/31/2024	332		PA	Payroll Summary - 2-Hourly	708.50	0.00	2,134.34
Monthly Totals: 101- -55120-169-55010					2,134.34	0.00	2,134.34
06/14/2024	345		PA	Payroll Summary - 2-Hourly	621.79	0.00	621.79
06/28/2024	366		PA	Payroll Summary - 2-Hourly	1,411.01	0.00	2,032.80
Monthly Totals: 101- -55120-169-55010					2,032.80	0.00	2,032.80

Fund: 101 General

Account Number : 101- -55120-187

Animal Shelter - Overtime Pay

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/05/2024	283		PA	Payroll Summary - 2-Hourly	423.33	0.00	423.33
Monthly Totals: 101- -55120-187					423.33	0.00	423.33
05/03/2024	310		PA	Payroll Summary - 2-Hourly	651.76	0.00	651.76

Template Name:
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Maury County Finance Department
Account Analysis
April 2024 - June 2024

User:
Date/Time:

Brooke Brady
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Fund: 101 General

Account Number : 101- -55120-187

Animal Shelter - Overtime Pay

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
05/31/2024	332		PA	Payroll Summary - 2-Hourly	1,398.40	0.00	2,050.16
Monthly Totals: 101- -55120-187					2,050.16	0.00	2,050.16
06/14/2024	345		PA	Payroll Summary - 2-Hourly	464.67	0.00	464.67
06/28/2024	366		PA	Payroll Summary - 2-Hourly	149.19	0.00	613.86
Monthly Totals: 101- -55120-187					613.86	0.00	613.86

Fund: 101 General

Account Number : 101- -55120-187-52102

Animal Shelter - Overtime Pay - Mission 76-MC 5824 Tornado

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
05/31/2024	332		PA	Payroll Summary - 2-Hourly	104.72	0.00	104.72
Monthly Totals: 101- -55120-187-52102					104.72	0.00	104.72

Fund: 101 General

Account Number : 101- -55120-187-55010

Animal Shelter - Overtime Pay - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/19/2024	295		PA	Payroll Summary - 2-Hourly	118.14	0.00	118.14
Monthly Totals: 101- -55120-187-55010					118.14	0.00	118.14
05/03/2024	310		PA	Payroll Summary - 2-Hourly	158.64	0.00	158.64
05/17/2024	330		PA	Payroll Summary - 2-Hourly	166.68	0.00	325.32
05/31/2024	332		PA	Payroll Summary - 2-Hourly	826.48	0.00	1,151.80
Monthly Totals: 101- -55120-187-55010					1,151.80	0.00	1,151.80
06/14/2024	345		PA	Payroll Summary - 2-Hourly	566.90	0.00	566.90
06/28/2024	366		PA	Payroll Summary - 2-Hourly	315.96	0.00	882.86
Monthly Totals: 101- -55120-187-55010					882.86	0.00	882.86

Fund: 101 General

Account Number : 101- -55120-189

Animal Shelter - Other Salaries & Wages

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/05/2024	283		PA	Payroll Summary - 2-Hourly	4,166.43	0.00	4,166.43

Template Name:
Created By: LGC

Maury County Finance Department
Account Analysis
April 2024 - June 2024

User:
Date/Time:

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Fund: 101 General

Account Number : 101- -55120-189

Animal Shelter - Other Salaries & Wages

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/19/2024	295		PA	Payroll Summary - 2-Hourly	4,388.84	0.00	8,555.27
				Monthly Totals: 101- -55120-189	8,555.27	0.00	8,555.27
05/03/2024	310		PA	Payroll Summary - 2-Hourly	4,152.00	0.00	4,152.00
05/17/2024	330		PA	Payroll Summary - 2-Hourly	4,172.19	0.00	8,324.19
05/31/2024	332		PA	Payroll Summary - 2-Hourly	3,890.74	0.00	12,214.93
				Monthly Totals: 101- -55120-189	12,214.93	0.00	12,214.93
06/14/2024	345		PA	Payroll Summary - 2-Hourly	4,314.38	0.00	4,314.38
06/28/2024	366		PA	Payroll Summary - 2-Hourly	4,596.05	0.00	8,910.43
				Monthly Totals: 101- -55120-189	8,910.43	0.00	8,910.43

Fund: 101 General

Account Number : 101- -55120-189-52102

Animal Shelter - Other Salaries & Wages - Mission 76-MC 5824

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
05/31/2024	332		PA	Payroll Summary - 2-Hourly	541.39	0.00	541.39
				Monthly Totals: 101- -55120-189-52102	541.39	0.00	541.39

Fund: 101 General

Account Number : 101- -55120-189-55010

Animal Shelter - Other Salaries & Wages - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/05/2024	283		PA	Payroll Summary - 2-Hourly	13,685.63	0.00	13,685.63
04/19/2024	295		PA	Payroll Summary - 2-Hourly	18,115.30	0.00	31,800.93
				Monthly Totals: 101- -55120-189-55010	31,800.93	0.00	31,800.93
05/03/2024	310		PA	Payroll Summary - 2-Hourly	16,336.40	0.00	16,336.40
05/17/2024	330		PA	Payroll Summary - 2-Hourly	11,558.11	0.00	27,894.51
05/31/2024	332		PA	Payroll Summary - 2-Hourly	11,789.80	0.00	39,684.31
				Monthly Totals: 101- -55120-189-55010	39,684.31	0.00	39,684.31
06/14/2024	345		PA	Payroll Summary - 2-Hourly	12,701.16	0.00	12,701.16
06/28/2024	366		PA	Payroll Summary - 2-Hourly	13,018.98	0.00	25,720.14
				Monthly Totals: 101- -55120-189-55010	25,720.14	0.00	25,720.14

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Fund: 101 General

Account Number : 101- -55120-201

Animal Shelter - Social Security

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/05/2024	283		PA	Payroll Summary - 2-Hourly	278.87	0.00	278.87
04/19/2024	295		PA	Payroll Summary - 2-Hourly	266.43	0.00	545.30
Monthly Totals: 101- -55120-201					545.30	0.00	545.30
05/03/2024	310		PA	Payroll Summary - 2-Hourly	292.15	0.00	292.15
05/17/2024	330		PA	Payroll Summary - 2-Hourly	252.99	0.00	545.14
05/31/2024	332		PA	Payroll Summary - 2-Hourly	327.94	0.00	873.08
Monthly Totals: 101- -55120-201					873.08	0.00	873.08
06/14/2024	345		PA	Payroll Summary - 2-Hourly	290.61	0.00	290.61
06/28/2024	366		PA	Payroll Summary - 2-Hourly	288.53	0.00	579.14
Monthly Totals: 101- -55120-201					579.14	0.00	579.14

Fund: 101 General

Account Number : 101- -55120-201-52102

Animal Shelter - Social Security - Mission 76-MC 5824 Tornado

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
05/31/2024	332		PA	Payroll Summary - 2-Hourly	40.05	0.00	40.05
Monthly Totals: 101- -55120-201-52102					40.05	0.00	40.05

Fund: 101 General

Account Number : 101- -55120-201-55010

Animal Shelter - Social Security - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/05/2024	283		PA	Payroll Summary - 2-Hourly	843.07	0.00	843.07
04/15/2024	286		PA	Payroll Summary - 3-Salary	162.94	0.00	1,006.01
04/19/2024	295		PA	Payroll Summary - 2-Hourly	1,148.82	0.00	2,154.83
04/30/2024	298		PA	Payroll Summary - 3-Salary	162.94	0.00	2,317.77
Monthly Totals: 101- -55120-201-55010					2,317.77	0.00	2,317.77
05/03/2024	310		PA	Payroll Summary - 2-Hourly	1,057.98	0.00	1,057.98
05/15/2024	312		PA	Payroll Summary - 3-Salary	162.94	0.00	1,220.92
05/17/2024	330		PA	Payroll Summary - 2-Hourly	769.19	0.00	1,990.11
05/31/2024	331		PA	Payroll Summary - 3-Salary	162.94	0.00	2,153.05
05/31/2024	332		PA	Payroll Summary - 2-Hourly	826.13	0.00	2,979.18

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Fund: 101 General

Account Number : 101- -55120-201-55010 Animal Shelter - Social Security - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
Monthly Totals: 101- -55120-201-55010					2,979.18	0.00	2,979.18
06/14/2024	344		PA	Payroll Summary - 3-Salary	162.95	0.00	162.95
06/14/2024	345		PA	Payroll Summary - 2-Hourly	855.16	0.00	1,018.11
06/28/2024	365		PA	Payroll Summary - 3-Salary	171.21	0.00	1,189.32
06/28/2024	366		PA	Payroll Summary - 2-Hourly	908.58	0.00	2,097.90
Monthly Totals: 101- -55120-201-55010					2,097.90	0.00	2,097.90

Fund: 101 General

Account Number : 101- -55120-204 Animal Shelter - State Retirement

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/05/2024	283		PA	Payroll Summary - 2-Hourly	319.90	0.00	319.90
04/19/2024	295		PA	Payroll Summary - 2-Hourly	305.90	0.00	625.80
Monthly Totals: 101- -55120-204					625.80	0.00	625.80
05/03/2024	310		PA	Payroll Summary - 2-Hourly	334.82	0.00	334.82
05/17/2024	330		PA	Payroll Summary - 2-Hourly	290.80	0.00	625.62
05/31/2024	332		PA	Payroll Summary - 2-Hourly	368.65	0.00	994.27
Monthly Totals: 101- -55120-204					994.27	0.00	994.27
06/14/2024	345		PA	Payroll Summary - 2-Hourly	333.10	0.00	333.10
06/28/2024	366		PA	Payroll Summary - 2-Hourly	330.74	0.00	663.84
Monthly Totals: 101- -55120-204					663.84	0.00	663.84

Fund: 101 General

Account Number : 101- -55120-204-52102 Animal Shelter - State Retirement - Mission 76-MC 5824 Tornado

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
05/31/2024	332		PA	Payroll Summary - 2-Hourly	45.03	0.00	45.03
Monthly Totals: 101- -55120-204-52102					45.03	0.00	45.03

Fund: 101 General

Account Number : 101- -55120-204-55010 Animal Shelter - State Retirement - Animal Shelter

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Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/05/2024	283		PA	Payroll Summary - 2-Hourly	953.87	0.00	953.87
04/15/2024	286		PA	Payroll Summary - 3-Salary	185.87	0.00	1,139.74
04/19/2024	295		PA	Payroll Summary - 2-Hourly	938.04	0.00	2,077.78
04/30/2024	298		PA	Payroll Summary - 3-Salary	185.87	0.00	2,263.65
Monthly Totals: 101- -55120-204-55010					2,263.65	0.00	2,263.65
05/03/2024	310		PA	Payroll Summary - 2-Hourly	847.25	0.00	847.25
05/15/2024	312		PA	Payroll Summary - 3-Salary	185.87	0.00	1,033.12
05/17/2024	330		PA	Payroll Summary - 2-Hourly	817.22	0.00	1,850.34
05/31/2024	331		PA	Payroll Summary - 3-Salary	185.87	0.00	2,036.21
05/31/2024	332		PA	Payroll Summary - 2-Hourly	879.37	0.00	2,915.58
Monthly Totals: 101- -55120-204-55010					2,915.58	0.00	2,915.58
06/14/2024	344		PA	Payroll Summary - 3-Salary	185.87	0.00	185.87
06/14/2024	345		PA	Payroll Summary - 2-Hourly	924.78	0.00	1,110.65
06/28/2024	365		PA	Payroll Summary - 3-Salary	195.17	0.00	1,305.82
06/28/2024	366		PA	Payroll Summary - 2-Hourly	929.45	0.00	2,235.27
Monthly Totals: 101- -55120-204-55010					2,235.27	0.00	2,235.27

Fund: 101 General

Account Number : 101- -55120-206

Animal Shelter - Life Insurance

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/05/2024	283		PA	Payroll Summary - 2-Hourly	6.30	0.00	6.30
04/19/2024	295		PA	Payroll Summary - 2-Hourly	6.30	0.00	12.60
Monthly Totals: 101- -55120-206					12.60	0.00	12.60
05/03/2024	310		PA	Payroll Summary - 2-Hourly	6.30	0.00	6.30
05/17/2024	330		PA	Payroll Summary - 2-Hourly	6.30	0.00	12.60
Monthly Totals: 101- -55120-206					12.60	0.00	12.60
06/14/2024	345		PA	Payroll Summary - 2-Hourly	6.30	0.00	6.30
06/28/2024	366		PA	Payroll Summary - 2-Hourly	6.30	0.00	12.60
Monthly Totals: 101- -55120-206					12.60	0.00	12.60

Fund: 101 General

Account Number : 101- -55120-206-55010

Animal Shelter - Life Insurance - Animal Shelter

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Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/05/2024	283		PA	Payroll Summary - 2-Hourly	13.97	0.00	13.97
04/15/2024	286		PA	Payroll Summary - 3-Salary	2.10	0.00	16.07
04/19/2024	295		PA	Payroll Summary - 2-Hourly	13.97	0.00	30.04
04/30/2024	298		PA	Payroll Summary - 3-Salary	2.10	0.00	32.14
Monthly Totals: 101- -55120-206-55010					32.14	0.00	32.14
05/02/2024	302187	302187	CD	Lincoln Financial Group	0.00	2.11	(2.11)
05/02/2024	302187	Lincoln Financial Group	CD	Void payment number 302187	2.11	0.00	0.00
05/02/2024	302194	302194	CD	Lincoln Financial Group	0.00	2.11	(2.11)
05/02/2024	302194	Lincoln Financial Group	CD	Void payment number 302194	2.11	0.00	0.00
05/02/2024	302195	302195	CD	Lincoln Financial Group	0.00	2.11	(2.11)
05/02/2024	302197	302197	CD	Lincoln Financial Group	2.09	0.00	(0.02)
05/03/2024	310		PA	Payroll Summary - 2-Hourly	13.97	0.00	13.95
05/15/2024	312		PA	Payroll Summary - 3-Salary	2.10	0.00	16.05
05/17/2024	330		PA	Payroll Summary - 2-Hourly	13.97	0.00	30.02
05/31/2024	331		PA	Payroll Summary - 3-Salary	2.10	0.00	32.12
Monthly Totals: 101- -55120-206-55010					38.45	6.33	32.12
06/03/2024	303094	303094	CD	LINCOLN FINANCIAL GROUP	0.00	2.11	(2.11)
06/14/2024	344		PA	Payroll Summary - 3-Salary	2.10	0.00	(0.01)
06/14/2024	345		PA	Payroll Summary - 2-Hourly	17.12	0.00	17.11
06/28/2024	365		PA	Payroll Summary - 3-Salary	2.10	0.00	19.21
06/28/2024	366		PA	Payroll Summary - 2-Hourly	16.07	0.00	35.28
Monthly Totals: 101- -55120-206-55010					37.39	2.11	35.28

Fund: 101 General

Account Number : 101- -55120-207

Animal Shelter - Medical Insurance

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/05/2024	283		PA	Payroll Summary - 2-Hourly	989.24	0.00	989.24
04/19/2024	295		PA	Payroll Summary - 2-Hourly	989.24	0.00	1,978.48
Monthly Totals: 101- -55120-207					1,978.48	0.00	1,978.48
05/03/2024	310		PA	Payroll Summary - 2-Hourly	989.24	0.00	989.24
05/17/2024	330		PA	Payroll Summary - 2-Hourly	989.24	0.00	1,978.48
Monthly Totals: 101- -55120-207					1,978.48	0.00	1,978.48
06/14/2024	345		PA	Payroll Summary - 2-Hourly	989.24	0.00	989.24

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Fund: 101 General

Account Number : 101- -55120-207

Animal Shelter - Medical Insurance

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
06/28/2024	366		PA	Payroll Summary - 2-Hourly	989.24	0.00	1,978.48
Monthly Totals: 101- -55120-207					1,978.48	0.00	1,978.48

Fund: 101 General

Account Number : 101- -55120-207-55010

Animal Shelter - Medical Insurance - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/05/2024	283		PA	Payroll Summary - 2-Hourly	1,815.40	0.00	1,815.40
04/12/2024	301777	301777	CD	BLUE CROSS BLUE SHIELD OF TN	0.00	30.68	1,784.72
04/19/2024	295		PA	Payroll Summary - 2-Hourly	1,815.40	0.00	3,600.12
Monthly Totals: 101- -55120-207-55010					3,630.80	30.68	3,600.12
05/02/2024	302173	302173	CD	BLUE CROSS BLUE SHIELD OF TN	0.00	30.66	(30.66)
05/03/2024	310		PA	Payroll Summary - 2-Hourly	1,690.40	0.00	1,659.74
05/17/2024	330		PA	Payroll Summary - 2-Hourly	1,690.40	0.00	3,350.14
Monthly Totals: 101- -55120-207-55010					3,380.80	30.66	3,350.14
06/03/2024	303082	303082	CD	BLUE CROSS BLUE SHIELD OF TN	61.08	0.00	61.08
06/14/2024	345		PA	Payroll Summary - 2-Hourly	2,266.56	0.00	2,327.64
06/28/2024	366		PA	Payroll Summary - 2-Hourly	1,978.48	0.00	4,306.12
Monthly Totals: 101- -55120-207-55010					4,306.12	0.00	4,306.12

Fund: 101 General

Account Number : 101- -55120-208

Animal Shelter - Dental Insurance

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/05/2024	283		PA	Payroll Summary - 2-Hourly	36.48	0.00	36.48
04/19/2024	295		PA	Payroll Summary - 2-Hourly	27.18	0.00	63.66
Monthly Totals: 101- -55120-208					63.66	0.00	63.66
05/03/2024	310		PA	Payroll Summary - 2-Hourly	36.48	0.00	36.48
05/17/2024	330		PA	Payroll Summary - 2-Hourly	27.18	0.00	63.66
Monthly Totals: 101- -55120-208					63.66	0.00	63.66
06/14/2024	345		PA	Payroll Summary - 2-Hourly	36.48	0.00	36.48

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Fund: 101 General

Account Number : 101- -55120-208

Animal Shelter - Dental Insurance

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
06/28/2024	366		PA	Payroll Summary - 2-Hourly	27.18	0.00	63.66
Monthly Totals: 101- -55120-208					63.66	0.00	63.66

Fund: 101 General

Account Number : 101- -55120-208-55010

Animal Shelter - Dental Insurance - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/05/2024	283		PA	Payroll Summary - 2-Hourly	72.96	0.00	72.96
04/15/2024	286		PA	Payroll Summary - 3-Salary	12.16	0.00	85.12
04/19/2024	295		PA	Payroll Summary - 2-Hourly	54.36	0.00	139.48
04/30/2024	298		PA	Payroll Summary - 3-Salary	9.06	0.00	148.54
Monthly Totals: 101- -55120-208-55010					148.54	0.00	148.54
05/03/2024	310		PA	Payroll Summary - 2-Hourly	72.96	0.00	72.96
05/15/2024	312		PA	Payroll Summary - 3-Salary	12.16	0.00	85.12
05/17/2024	330		PA	Payroll Summary - 2-Hourly	54.36	0.00	139.48
05/31/2024	331		PA	Payroll Summary - 3-Salary	9.06	0.00	148.54
Monthly Totals: 101- -55120-208-55010					148.54	0.00	148.54
06/14/2024	344		PA	Payroll Summary - 3-Salary	12.16	0.00	12.16
06/14/2024	345		PA	Payroll Summary - 2-Hourly	97.28	0.00	109.44
06/28/2024	365		PA	Payroll Summary - 3-Salary	9.06	0.00	118.50
06/28/2024	366		PA	Payroll Summary - 2-Hourly	63.42	0.00	181.92
Monthly Totals: 101- -55120-208-55010					181.92	0.00	181.92

Fund: 101 General

Account Number : 101- -55120-209-55010

Animal Shelter - Disability Insurance - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
05/02/2024	302187	Lincoln Financial Group	CD	Void payment number 302187	0.00	70.30	(70.30)
05/02/2024	302187	302187	CD	Lincoln Financial Group	70.30	0.00	0.00
05/02/2024	302194	Lincoln Financial Group	CD	Void payment number 302194	0.00	70.30	(70.30)
05/02/2024	302194	302194	CD	Lincoln Financial Group	70.30	0.00	0.00
05/02/2024	302195	302195	CD	Lincoln Financial Group	70.30	0.00	70.30

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Fund: 101 General

Account Number : 101- -55120-209-55010 Animal Shelter - Disability Insurance - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
05/02/2024	302197	302197	CD	Lincoln Financial Group	70.30	0.00	140.60
Monthly Totals: 101- -55120-209-55010					281.20	140.60	140.60
06/03/2024	303094	303094	CD	LINCOLN FINANCIAL GROUP	68.65	0.00	68.65
Monthly Totals: 101- -55120-209-55010					68.65	0.00	68.65

Fund: 101 General

Account Number : 101- -55120-210-52102 Animal Shelter - Unemployment Compensation - Mission 76-MC 5824

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
05/31/2024	332		PA	Payroll Summary - 2-Hourly	0.32	0.00	0.32
Monthly Totals: 101- -55120-210-52102					0.32	0.00	0.32

Fund: 101 General

Account Number : 101- -55120-210-55010 Animal Shelter - Unemployment Compensation - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/05/2024	283		PA	Payroll Summary - 2-Hourly	1.27	0.00	1.27
04/15/2024	286		PA	Payroll Summary - 3-Salary	1.00	0.00	2.27
04/19/2024	295		PA	Payroll Summary - 2-Hourly	1.15	0.00	3.42
Monthly Totals: 101- -55120-210-55010					3.42	0.00	3.42
05/03/2024	310		PA	Payroll Summary - 2-Hourly	5.63	0.00	5.63
05/17/2024	330		PA	Payroll Summary - 2-Hourly	8.68	0.00	14.31
05/31/2024	332		PA	Payroll Summary - 2-Hourly	11.26	0.00	25.57
Monthly Totals: 101- -55120-210-55010					25.57	0.00	25.57
06/14/2024	345		PA	Payroll Summary - 2-Hourly	10.84	0.00	10.84
06/28/2024	366		PA	Payroll Summary - 2-Hourly	11.78	0.00	22.62
Monthly Totals: 101- -55120-210-55010					22.62	0.00	22.62

Fund: 101 General

Account Number : 101- -55120-212 Animal Shelter - Employer Medicare

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
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Fund: 101 General

Account Number : 101- -55120-212

Animal Shelter - Employer Medicare

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/05/2024	283		PA	Payroll Summary - 2-Hourly	65.23	0.00	65.23
04/19/2024	295		PA	Payroll Summary - 2-Hourly	62.32	0.00	127.55
Monthly Totals: 101- -55120-212					127.55	0.00	127.55
05/03/2024	310		PA	Payroll Summary - 2-Hourly	68.32	0.00	68.32
05/17/2024	330		PA	Payroll Summary - 2-Hourly	59.17	0.00	127.49
05/31/2024	332		PA	Payroll Summary - 2-Hourly	76.69	0.00	204.18
Monthly Totals: 101- -55120-212					204.18	0.00	204.18
06/14/2024	345		PA	Payroll Summary - 2-Hourly	67.97	0.00	67.97
06/28/2024	366		PA	Payroll Summary - 2-Hourly	67.47	0.00	135.44
Monthly Totals: 101- -55120-212					135.44	0.00	135.44

Fund: 101 General

Account Number : 101- -55120-212-52102

Animal Shelter - Employer Medicare - Mission 76-MC 5824 Tornado

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
05/31/2024	332		PA	Payroll Summary - 2-Hourly	9.37	0.00	9.37
Monthly Totals: 101- -55120-212-52102					9.37	0.00	9.37

Fund: 101 General

Account Number : 101- -55120-212-55010

Animal Shelter - Employer Medicare - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/05/2024	283		PA	Payroll Summary - 2-Hourly	197.19	0.00	197.19
04/15/2024	286		PA	Payroll Summary - 3-Salary	38.11	0.00	235.30
04/19/2024	295		PA	Payroll Summary - 2-Hourly	268.67	0.00	503.97
04/30/2024	298		PA	Payroll Summary - 3-Salary	38.10	0.00	542.07
Monthly Totals: 101- -55120-212-55010					542.07	0.00	542.07
05/03/2024	310		PA	Payroll Summary - 2-Hourly	247.43	0.00	247.43
05/15/2024	312		PA	Payroll Summary - 3-Salary	38.11	0.00	285.54
05/17/2024	330		PA	Payroll Summary - 2-Hourly	179.90	0.00	465.44
05/31/2024	331		PA	Payroll Summary - 3-Salary	38.11	0.00	503.55
05/31/2024	332		PA	Payroll Summary - 2-Hourly	193.20	0.00	696.75

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Fund: 101 General

Account Number : 101- -55120-212-55010 Animal Shelter - Employer Medicare - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
Monthly Totals: 101- -55120-212-55010					696.75	0.00	696.75
06/14/2024	344		PA	Payroll Summary - 3-Salary	38.10	0.00	38.10
06/14/2024	345		PA	Payroll Summary - 2-Hourly	200.01	0.00	238.11
06/28/2024	365		PA	Payroll Summary - 3-Salary	40.05	0.00	278.16
06/28/2024	366		PA	Payroll Summary - 2-Hourly	212.50	0.00	490.66
Monthly Totals: 101- -55120-212-55010					490.66	0.00	490.66

Fund: 101 General

Account Number : 101- -55120-320 Animal Shelter - Dues And Memberships

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
05/16/2024	302658	302658	CD	FIRST HORIZON BANK	110.00	0.00	110.00
05/16/2024	302658	302658	CD	FIRST HORIZON BANK	380.00	0.00	490.00
05/16/2024	302658	302658	CD	FIRST HORIZON BANK	850.00	0.00	1,340.00
Monthly Totals: 101- -55120-320					1,340.00	0.00	1,340.00

Fund: 101 General

Account Number : 101- -55120-335-55010 Animal Shelter - Maintenance And Repair Services-Buildings - Animal

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/16/2024	301866	301866	CD	DENTON CONSTRUCTION	4,140.00	0.00	4,140.00
04/18/2024	301955	301955	CD	MY GARAGE FLOOR GUYS, INC	7,672.50	0.00	11,812.50
Monthly Totals: 101- -55120-335-55010					11,812.50	0.00	11,812.50
06/25/2024	303827	303827	CD	City Electric Supply Co.	84.29	0.00	84.29
06/25/2024	303827	303827	CD	City Electric Supply Co.	633.60	0.00	717.89
Monthly Totals: 101- -55120-335-55010					717.89	0.00	717.89

Fund: 101 General

Account Number : 101- -55120-336-55010 Animal Shelter - Maintenance And Repair Services-Equipment - Animal

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
05/07/2024	302464	302464	CD	Trigreen Equipment LLC	247.67	0.00	247.67

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Fund: 101 General

Account Number : 101- -55120-336-55010

Animal Shelter - Maintenance And Repair Services-Equipment - Animal

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
Monthly Totals: 101- -55120-336-55010					247.67	0.00	247.67
06/04/2024	303154	303154	CD	IDEXX DISTRIBUTION INC	21.23	0.00	21.23
Monthly Totals: 101- -55120-336-55010					21.23	0.00	21.23

Fund: 101 General

Account Number : 101- -55120-338

Animal Shelter - Maintenance And Repair Services-Vehicles

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/02/2024	301537	301537	CD	Turner & Osborne	779.80	0.00	779.80
Monthly Totals: 101- -55120-338					779.80	0.00	779.80
05/21/2024	302759	302759	CD	Maury Co Central Maintenance	796.00	0.00	796.00
05/21/2024	302759	302759	CD	Maury Co Central Maintenance	173.00	0.00	969.00
Monthly Totals: 101- -55120-338					969.00	0.00	969.00
06/20/2024	303622	303622	CD	Maury Co Central Maintenance	94.00	0.00	94.00
Monthly Totals: 101- -55120-338					94.00	0.00	94.00

Fund: 101 General

Account Number : 101- -55120-357-55010

Animal Shelter - Veterinary Services - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/09/2024	301764	301764	CD	TENNSOUTH VETERINARY SERVICES	600.00	0.00	600.00
04/18/2024	301952	301952	CD	Maury Co Veterinary Hospital	500.38	0.00	1,100.38
04/25/2024	302065	302065	CD	Midwest Veterinary Supply, Inc	161.84	0.00	1,262.22
04/25/2024	302065	302065	CD	Midwest Veterinary Supply, Inc	161.39	0.00	1,423.61
04/25/2024	302078	302078	CD	TENNSOUTH VETERINARY SERVICES	600.00	0.00	2,023.61
04/25/2024	302078	302078	CD	TENNSOUTH VETERINARY SERVICES	600.00	0.00	2,623.61
04/30/2024	302167	302167	CD	Zoetis US, LLC	50.00	0.00	2,673.61
Monthly Totals: 101- -55120-357-55010					2,673.61	0.00	2,673.61
05/09/2024	302543	302543	CD	Maury Co Veterinary Hospital	257.94	0.00	257.94
05/09/2024	302566	302566	CD	Zoetis US, LLC	2,353.20	0.00	2,611.14
Monthly Totals: 101- -55120-357-55010					2,611.14	0.00	2,611.14

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Fund: 101 General

Account Number : 101- -55120-357-55010

Animal Shelter - Veterinary Services - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
06/04/2024	303139	303139	CD	COVETRUS NORTH AMERICA	436.20	0.00	436.20
06/04/2024	303139	303139	CD	COVETRUS NORTH AMERICA	122.55	0.00	558.75
06/04/2024	303172	303172	CD	Midwest Veterinary Supply, Inc	1,549.53	0.00	2,108.28
06/04/2024	303172	303172	CD	Midwest Veterinary Supply, Inc	182.88	0.00	2,291.16
06/04/2024	303172	303172	CD	Midwest Veterinary Supply, Inc	123.67	0.00	2,414.83
06/04/2024	303208	303208	CD	Zoetis US, LLC	844.13	0.00	3,258.96
06/11/2024	303355	303355	CD	Maury Co Veterinary Hospital	323.50	0.00	3,582.46
Monthly Totals: 101- -55120-357-55010					3,582.46	0.00	3,582.46

Fund: 101 General

Account Number : 101- -55120-357-55012

Animal Shelter - Veterinary Services - Animal Shelter-Spay/Neuter Rev

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
06/04/2024	303198	303198	CD	TENNSOUTH VETERINARY SERVICES	600.00	0.00	600.00
06/04/2024	303198	303198	CD	TENNSOUTH VETERINARY SERVICES	600.00	0.00	1,200.00
06/04/2024	303198	303198	CD	TENNSOUTH VETERINARY SERVICES	600.00	0.00	1,800.00
06/04/2024	303198	303198	CD	TENNSOUTH VETERINARY SERVICES	600.00	0.00	2,400.00
06/04/2024	303198	303198	CD	TENNSOUTH VETERINARY SERVICES	600.00	0.00	3,000.00
06/27/2024	303908	303908	CD	CASA TRANSPORT	120.00	0.00	3,120.00
06/27/2024	303908	303908	CD	CASA TRANSPORT	1,150.00	0.00	4,270.00
06/27/2024	303908	303908	CD	CASA TRANSPORT	2,600.00	0.00	6,870.00
06/27/2024	303908	303908	CD	CASA TRANSPORT	200.00	0.00	7,070.00
06/27/2024	303956	303956	CD	TENNSOUTH VETERINARY SERVICES	600.00	0.00	7,670.00
06/27/2024	303956	303956	CD	TENNSOUTH VETERINARY SERVICES	600.00	0.00	8,270.00
06/27/2024	303956	303956	CD	TENNSOUTH VETERINARY SERVICES	600.00	0.00	8,870.00
Monthly Totals: 101- -55120-357-55012					8,870.00	0.00	8,870.00

Fund: 101 General

Account Number : 101- -55120-359-55010

Animal Shelter - Disposal Fees - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/30/2024	302123	302123	CD	Columbia Power & Water Sys	196.00	0.00	196.00

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Fund: 101 General

Account Number : 101- -55120-359-55010 Animal Shelter - Disposal Fees - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
Monthly Totals: 101- -55120-359-55010					196.00	0.00	196.00
05/29/2024	302867	Columbia Power & Water Sys	CD	Void payment number 302867	0.00	196.00	(196.00)
05/29/2024	302867	302867	CD	Columbia Power & Water Sys	196.00	0.00	0.00
05/29/2024	302914	302867	CD	Columbia Power & Water Sys	196.00	0.00	196.00
Monthly Totals: 101- -55120-359-55010					392.00	196.00	196.00
06/27/2024	303921	303921	CD	Columbia Power & Water Sys	196.00	0.00	196.00
Monthly Totals: 101- -55120-359-55010					196.00	0.00	196.00

Fund: 101 General

Account Number : 101- -55120-399-55010 Animal Shelter - Other Contracted Services - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/09/2024	301734	301734	CD	FAMILY PALS	550.00	0.00	550.00
04/09/2024	301734	301734	CD	FAMILY PALS	700.00	0.00	1,250.00
Monthly Totals: 101- -55120-399-55010					1,250.00	0.00	1,250.00
05/29/2024	968		JE	Ankle Monitoring Invoices - Mar 2024	147.24	0.00	147.24
Monthly Totals: 101- -55120-399-55010					147.24	0.00	147.24
06/21/2024	1048		JE	Inmate Ankle Monitors - Apr 2024	235.00	0.00	235.00
Monthly Totals: 101- -55120-399-55010					235.00	0.00	235.00

Fund: 101 General

Account Number : 101- -55120-401-55010 Animal Shelter - Animal Food And Supplies - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
05/23/2024	302836	302836	CD	Zoetis US, LLC	719.70	0.00	719.70
Monthly Totals: 101- -55120-401-55010					719.70	0.00	719.70
06/18/2024	303541	303541	CD	Amazon Capital Services Inc	186.00	0.00	186.00
Monthly Totals: 101- -55120-401-55010					186.00	0.00	186.00

Fund: 101 General

Account Number : 101- -55120-410-55010 Animal Shelter - Custodial Supplies - Animal Shelter

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Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/09/2024	301702	301702	CD	Amazon Capital Services Inc	225.39	0.00	225.39
04/30/2024	302140	302140	CD	Lowe's Companies Inc. ANM	190.08	0.00	415.47
Monthly Totals: 101- -55120-410-55010					415.47	0.00	415.47
05/09/2024	302545	302545	CD	Midwest Veterinary Supply, Inc	190.90	0.00	190.90
05/09/2024	302545	302545	CD	Midwest Veterinary Supply, Inc	1,679.67	0.00	1,870.57
05/23/2024	302795	302795	CD	Amazon Capital Services Inc	752.32	0.00	2,622.89
Monthly Totals: 101- -55120-410-55010					2,622.89	0.00	2,622.89
06/04/2024	303112	303112	CD	Amazon Capital Services Inc	700.00	0.00	700.00
06/18/2024	303541	303541	CD	Amazon Capital Services Inc	1,499.10	0.00	2,199.10
Monthly Totals: 101- -55120-410-55010					2,199.10	0.00	2,199.10

Fund: 101 General

Account Number : 101- -55120-413-14007

Animal Shelter - Drugs And Medical Supplies - Best Friends Animal

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/30/2024	302127	302127	CD	COVETRUS NORTH AMERICA	215.21	0.00	215.21
04/30/2024	302127	302127	CD	COVETRUS NORTH AMERICA	868.18	0.00	1,083.39
Monthly Totals: 101- -55120-413-14007					1,083.39	0.00	1,083.39
05/16/2024	302658	302658	CD	FIRST HORIZON BANK	480.00	0.00	480.00
Monthly Totals: 101- -55120-413-14007					480.00	0.00	480.00
06/13/2024	303422	303422	CD	FIRST HORIZON BANK	420.00	0.00	420.00
06/13/2024	303422	FIRST HORIZON BANK	CD	Void payment number 303422	0.00	420.00	0.00
06/13/2024	303478	303422	CD	FIRST HORIZON BANK	420.00	0.00	420.00
Monthly Totals: 101- -55120-413-14007					840.00	420.00	420.00

Fund: 101 General

Account Number : 101- -55120-413-55010

Animal Shelter - Drugs And Medical Supplies - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/09/2024	301753	301753	CD	Midwest Veterinary Supply, Inc	652.65	0.00	652.65
04/09/2024	301753	301753	CD	Midwest Veterinary Supply, Inc	17.79	0.00	670.44
04/09/2024	301753	301753	CD	Midwest Veterinary Supply, Inc	40.00	0.00	710.44
04/09/2024	301753	301753	CD	Midwest Veterinary Supply, Inc	116.46	0.00	826.90
04/09/2024	301753	301753	CD	Midwest Veterinary Supply, Inc	1,609.90	0.00	2,436.80

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Fund: 101 General

Account Number : 101- -55120-413-55010

Animal Shelter - Drugs And Medical Supplies - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/09/2024	301753	301753	CD	Midwest Veterinary Supply, Inc	236.83	0.00	2,673.63
04/09/2024	301753	301753	CD	Midwest Veterinary Supply, Inc	71.39	0.00	2,745.02
04/09/2024	301775	301775	CD	Zoetis US, LLC	50.00	0.00	2,795.02
04/09/2024	301775	301775	CD	Zoetis US, LLC	163.71	0.00	2,958.73
04/18/2024	301940	301940	CD	IDEXX DISTRIBUTION INC	700.83	0.00	3,659.56
04/18/2024	301953	301953	CD	Midwest Veterinary Supply, Inc	516.17	0.00	4,175.73
04/18/2024	301953	301953	CD	Midwest Veterinary Supply, Inc	307.74	0.00	4,483.47
04/18/2024	301964	301964	CD	Wedgewood Village Pharmacy Inc	525.00	0.00	5,008.47
04/30/2024	302101	302101	CD	Airgas Usa, Llc	95.69	0.00	5,104.16
04/30/2024	302127	302127	CD	COVETRUS NORTH AMERICA	150.00	0.00	5,254.16
04/30/2024	302127	302127	CD	COVETRUS NORTH AMERICA	59.68	0.00	5,313.84
04/30/2024	302147	302147	CD	Midwest Veterinary Supply, Inc	1,938.34	0.00	7,252.18
04/30/2024	302147	302147	CD	Midwest Veterinary Supply, Inc	120.75	0.00	7,372.93
Monthly Totals: 101- -55120-413-55010					7,372.93	0.00	7,372.93
05/07/2024	302438	302438	CD	Midwest Veterinary Supply, Inc	13.00	0.00	13.00
05/07/2024	302438	302438	CD	Midwest Veterinary Supply, Inc	19.05	0.00	32.05
05/07/2024	302438	302438	CD	Midwest Veterinary Supply, Inc	8.47	0.00	40.52
05/07/2024	302438	302438	CD	Midwest Veterinary Supply, Inc	890.08	0.00	930.60
05/14/2024	302569	302569	CD	Airgas Usa, Llc	95.69	0.00	1,026.29
05/21/2024	302791	302791	CD	Zoetis US, LLC	158.11	0.00	1,184.40
05/21/2024	302791	302791	CD	Zoetis US, LLC	317.63	0.00	1,502.03
05/23/2024	302824	302824	CD	Midwest Veterinary Supply, Inc	59.83	0.00	1,561.86
Monthly Totals: 101- -55120-413-55010					1,561.86	0.00	1,561.86
06/11/2024	303358	303358	CD	Midwest Veterinary Supply, Inc	170.34	0.00	170.34
Monthly Totals: 101- -55120-413-55010					170.34	0.00	170.34

Fund: 101 General

Account Number : 101- -55120-415-55010

Animal Shelter - Electricity - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/30/2024	302123	302123	CD	Columbia Power & Water Sys	1,598.15	0.00	1,598.15

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Fund: 101 General

Account Number : 101- -55120-415-55010 Animal Shelter - Electricity - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
Monthly Totals: 101- -55120-415-55010					1,598.15	0.00	1,598.15
05/29/2024	302867	Columbia Power & Water Sys	CD	Void payment number 302867	0.00	1,971.98	(1,971.98)
05/29/2024	302867	302867	CD	Columbia Power & Water Sys	1,971.98	0.00	0.00
05/29/2024	302914	302867	CD	Columbia Power & Water Sys	1,971.98	0.00	1,971.98
Monthly Totals: 101- -55120-415-55010					3,943.96	1,971.98	1,971.98
06/27/2024	303921	303921	CD	Columbia Power & Water Sys	2,417.14	0.00	2,417.14
Monthly Totals: 101- -55120-415-55010					2,417.14	0.00	2,417.14

Fund: 101 General

Account Number : 101- -55120-425 Animal Shelter - Gasoline

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
05/21/2024	302759	302759	CD	Maury Co Central Maintenance	1,075.00	0.00	1,075.00
05/21/2024	302759	302759	CD	Maury Co Central Maintenance	1,507.00	0.00	2,582.00
Monthly Totals: 101- -55120-425					2,582.00	0.00	2,582.00
06/20/2024	303622	303622	CD	Maury Co Central Maintenance	732.00	0.00	732.00
Monthly Totals: 101- -55120-425					732.00	0.00	732.00

Fund: 101 General

Account Number : 101- -55120-425-55010 Animal Shelter - Gasoline - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
05/21/2024	302759	302759	CD	Maury Co Central Maintenance	92.00	0.00	92.00
Monthly Totals: 101- -55120-425-55010					92.00	0.00	92.00
06/20/2024	303622	303622	CD	Maury Co Central Maintenance	36.00	0.00	36.00
06/20/2024	303622	303622	CD	Maury Co Central Maintenance	88.00	0.00	124.00
Monthly Totals: 101- -55120-425-55010					124.00	0.00	124.00

Fund: 101 General

Account Number : 101- -55120-434-55010 Animal Shelter - Natural Gas - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
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Fund: 101 General

Account Number : 101- -55120-434-55010 Animal Shelter - Natural Gas - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/23/2024	301973	301973	CD	AMERIGAS PROPANE LP	1,815.66	0.00	1,815.66
Monthly Totals: 101- -55120-434-55010					1,815.66	0.00	1,815.66

Fund: 101 General

Account Number : 101- -55120-435 Animal Shelter - Office Supplies

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/16/2024	301869	301869	CD	FIRST HORIZON BANK	130.49	0.00	130.49
Monthly Totals: 101- -55120-435					130.49	0.00	130.49

Fund: 101 General

Account Number : 101- -55120-435-55010 Animal Shelter - Office Supplies - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/09/2024	301702	301702	CD	Amazon Capital Services Inc	235.78	0.00	235.78
Monthly Totals: 101- -55120-435-55010					235.78	0.00	235.78
06/04/2024	303112	303112	CD	Amazon Capital Services Inc	164.47	0.00	164.47
06/18/2024	303541	303541	CD	Amazon Capital Services Inc	197.00	0.00	361.47
Monthly Totals: 101- -55120-435-55010					361.47	0.00	361.47

Fund: 101 General

Account Number : 101- -55120-451 Animal Shelter - Uniforms

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/23/2024	301972	301972	CD	Amazon Capital Services Inc	152.18	0.00	152.18
Monthly Totals: 101- -55120-451					152.18	0.00	152.18
05/09/2024	302530	302530	CD	Impressions	691.30	0.00	691.30
Monthly Totals: 101- -55120-451					691.30	0.00	691.30
06/13/2024	303422	FIRST HORIZON BANK	CD	Void payment number 303422	0.00	179.94	(179.94)
06/13/2024	303422	303422	CD	FIRST HORIZON BANK	179.94	0.00	0.00
06/13/2024	303478	303422	CD	FIRST HORIZON BANK	179.94	0.00	179.94
06/28/2024	303982	303982	CD	Impressions	442.86	0.00	622.80

Template Name:
Created By: LGC

Maury County Finance Department
Account Analysis
April 2024 - June 2024

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Date/Time:

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Fund: 101 General

Account Number : 101- -55120-451

Animal Shelter - Uniforms

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
Monthly Totals: 101- -55120-451					802.74	179.94	622.80

Fund: 101 General

Account Number : 101- -55120-454-55010

Animal Shelter - Water And Sewer - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/30/2024	302123	302123	CD	Columbia Power & Water Sys	819.52	0.00	819.52
Monthly Totals: 101- -55120-454-55010					819.52	0.00	819.52
05/29/2024	302867	Columbia Power & Water Sys	CD	Void payment number 302867	0.00	1,111.16	(1,111.16)
05/29/2024	302867	302867	CD	Columbia Power & Water Sys	1,111.16	0.00	0.00
05/29/2024	302914	302867	CD	Columbia Power & Water Sys	1,111.16	0.00	1,111.16
Monthly Totals: 101- -55120-454-55010					2,222.32	1,111.16	1,111.16
06/27/2024	303921	303921	CD	Columbia Power & Water Sys	1,052.69	0.00	1,052.69
Monthly Totals: 101- -55120-454-55010					1,052.69	0.00	1,052.69

Fund: 101 General

Account Number : 101- -55120-499-55010

Animal Shelter - Other Supplies And Materials - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/09/2024	301770	301770	CD	UNITED FARM AND HOME COOPERATIVE	132.96	0.00	132.96
04/09/2024	301770	301770	CD	UNITED FARM AND HOME COOPERATIVE	300.00	0.00	432.96
04/09/2024	301770	301770	CD	UNITED FARM AND HOME COOPERATIVE	380.00	0.00	812.96
04/23/2024	301972	301972	CD	Amazon Capital Services Inc	770.00	0.00	1,582.96
Monthly Totals: 101- -55120-499-55010					1,582.96	0.00	1,582.96
05/09/2024	302484	302484	CD	Amazon Capital Services Inc	57.87	0.00	57.87
05/09/2024	302484	302484	CD	Amazon Capital Services Inc	248.21	0.00	306.08
05/14/2024	302571	302571	CD	Animal Care Equip. & Svs, Llc	348.15	0.00	654.23
05/21/2024	302756	302756	CD	Lowe's Companies Inc. ANM	228.10	0.00	882.33
05/21/2024	302788	302788	CD	UNITED FARM AND HOME COOPERATIVE	380.00	0.00	1,262.33
Monthly Totals: 101- -55120-499-55010					1,262.33	0.00	1,262.33
06/04/2024	303201	303201	CD	UNITED FARM AND HOME COOPERATIVE	380.00	0.00	380.00

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Maury County Finance Department
Account Analysis
April 2024 - June 2024

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Fund: 101 General

Account Number : 101- -55120-499-55010

Animal Shelter - Other Supplies And Materials - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
Monthly Totals: 101- -55120-499-55010					380.00	0.00	380.00

Fund: 101 General

Account Number : 101- -55120-524

Animal Shelter - Training, In-Service, Staff Development

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/16/2024	301869	301869	CD	FIRST HORIZON BANK	422.00	0.00	422.00
Monthly Totals: 101- -55120-524					422.00	0.00	422.00
05/16/2024	302658	302658	CD	FIRST HORIZON BANK	372.00	0.00	372.00
Monthly Totals: 101- -55120-524					372.00	0.00	372.00

Fund: 101 General

Account Number : 101- -55120-524-55010

Animal Shelter - Training, In-Service, Staff Development - Animal

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/16/2024	301869	301869	CD	FIRST HORIZON BANK	250.00	0.00	250.00
04/16/2024	301869	301869	CD	FIRST HORIZON BANK	250.00	0.00	500.00
04/16/2024	301869	301869	CD	FIRST HORIZON BANK	250.00	0.00	750.00
04/16/2024	301869	301869	CD	FIRST HORIZON BANK	250.00	0.00	1,000.00
Monthly Totals: 101- -55120-524-55010					1,000.00	0.00	1,000.00
05/15/2024	301053	Animal Care & Control	CD	Void payment number 301053	0.00	1,000.00	(1,000.00)
Monthly Totals: 101- -55120-524-55010					0.00	1,000.00	(1,000.00)

Fund: 101 General

Account Number : 101- -55120-524-55011

Animal Shelter - Training, In-Service, Staff Development - Animal

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/16/2024	301869	301869	CD	FIRST HORIZON BANK	794.00	0.00	794.00
Monthly Totals: 101- -55120-524-55011					794.00	0.00	794.00

Fund: 101 General

Account Number : 101- -55120-707-55010

Animal Shelter - Building Improvements - Animal Shelter

Template Name:
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Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
06/04/2024	303177	303177	CD	MY GARAGE FLOOR GUYS, INC	15,874.20	0.00	15,874.20
Monthly Totals: 101- -55120-707-55010					15,874.20	0.00	15,874.20

Fund: 101 General

Account Number : 101- -55120-719-55010 Animal Shelter - Office Equipment - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
06/18/2024	303541	303541	CD	Amazon Capital Services Inc	300.00	0.00	300.00
Monthly Totals: 101- -55120-719-55010					300.00	0.00	300.00

Fund: 101 General

Account Number : 101- -55120-790 Animal Shelter - Other Equipment

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/09/2024	301712	301712	CD	Chrysler Dodge Jeep Ram of Columbia	1,578.00	0.00	1,578.00
04/09/2024	301712	301712	CD	Chrysler Dodge Jeep Ram of Columbia	2,220.00	0.00	3,798.00
04/23/2024	301972	301972	CD	Amazon Capital Services Inc	1,655.59	0.00	5,453.59
Monthly Totals: 101- -55120-790					5,453.59	0.00	5,453.59
06/18/2024	303541	303541	CD	Amazon Capital Services Inc	169.00	0.00	169.00
Monthly Totals: 101- -55120-790					169.00	0.00	169.00

Fund: 101 General

Account Number : 101- -55120-790-55010 Animal Shelter - Other Equipment - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
04/18/2024	301953	301953	CD	Midwest Veterinary Supply, Inc	559.37	0.00	559.37
04/18/2024	301953	301953	CD	Midwest Veterinary Supply, Inc	118.98	0.00	678.35
04/18/2024	301953	301953	CD	Midwest Veterinary Supply, Inc	26.75	0.00	705.10
04/18/2024	301953	301953	CD	Midwest Veterinary Supply, Inc	8,473.60	0.00	9,178.70
04/18/2024	301953	301953	CD	Midwest Veterinary Supply, Inc	585.75	0.00	9,764.45
04/18/2024	301953	301953	CD	Midwest Veterinary Supply, Inc	1,738.86	0.00	11,503.31
04/18/2024	301953	301953	CD	Midwest Veterinary Supply, Inc	39.00	0.00	11,542.31
04/18/2024	301953	301953	CD	Midwest Veterinary Supply, Inc	1,234.75	0.00	12,777.06
04/30/2024	302147	302147	CD	Midwest Veterinary Supply, Inc	5,487.00	0.00	18,264.06
04/30/2024	302147	302147	CD	Midwest Veterinary Supply, Inc	82.50	0.00	18,346.56

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Account Analysis
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Fund: 101 General

Account Number : 101- -55120-790-55010

Animal Shelter - Other Equipment - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
Monthly Totals: 101- -55120-790-55010					18,346.56	0.00	18,346.56
05/14/2024	302600	302600	CD	Midwest Veterinary Supply, Inc	319.92	0.00	319.92
05/14/2024	302600	302600	CD	Midwest Veterinary Supply, Inc	198.55	0.00	518.47
05/14/2024	302600	302600	CD	Midwest Veterinary Supply, Inc	1,532.75	0.00	2,051.22
05/21/2024	302717	302717	CD	Amazon Capital Services Inc	280.19	0.00	2,331.41
05/21/2024	302767	302767	CD	Midwest Veterinary Supply, Inc	344.28	0.00	2,675.69
05/23/2024	302795	302795	CD	Amazon Capital Services Inc	0.00	17.89	2,657.80
Monthly Totals: 101- -55120-790-55010					2,675.69	17.89	2,657.80
06/20/2024	303615	303615	CD	Grays Concrete	5,375.00	0.00	5,375.00
Monthly Totals: 101- -55120-790-55010					5,375.00	0.00	5,375.00

Fund: 101 General

Account Number : 101- -55120-799-55010

Animal Shelter - Other Capital Outlay - Animal Shelter

Date	Trans #	Reference #	Type	Transaction Description	Debits	Credits	Balance
05/09/2024	302482	302482	CD	ACE PORTABLE BUILDINGS LLC	19,999.00	0.00	19,999.00
Monthly Totals: 101- -55120-799-55010					19,999.00	0.00	19,999.00
06/20/2024	303615	303615	CD	Grays Concrete	17,000.00	0.00	17,000.00
Monthly Totals: 101- -55120-799-55010					17,000.00	0.00	17,000.00

Fund Totals: 101

357,876.43 5,107.35

Other Funding (highlighted): - 3144.27

-5107.35

349,624.81

Animal Shelter

PREPARED BY:

DATE:

PROJECT TITLE:

2024

PROJECT PLANNING NOTES:

5-13-24

Johnnie & Robin 1 Hr. each
repair womens toilet

5-15-24

Jeff & Robin 1 Hr. each
repair water leak in extended stay room

5-29-24

Johnnie & Robin 1 Hr. each
repair mens shower

6-24-24

Robin, Johnnie & Jeff 1 Hr. each
purchase, deliver & set up 8 portable
air conditioning units

6-28-24

Robin & Johnnie 1 Hr. each
replace light bulbs

mylowe's Rewards

LEARN MORE AT [LOWES.COM/MYLOWESREWARDS](https://www.lowes.com/mylowesrewards)

LOVE'S HOME CENTERS, LLC
2000 HILLARY DR.
COLUMBIA, TN 38401 (931) 380-9499

- SALE -

SALES#: S0729WTK 4084689 TRANS#: 975885979 06-20-24

4350811 HISENSE 10K DUALHOSE PAC 5312.40
699.00 DISCOUNT EACH -34.95
8 @ 664.05

SUBTOTAL: 5312.40

TOTAL TAX: 0.00

INVOICE 93565 TOTAL: 5312.40

LAR: 5312.40

GOV-11692

TOTAL SAVINGS THIS TRIP: \$279.60

LAR: XXXXXXXXXXXX9920 AMOUNT: 5312.40 AUTHCD: 001476

KEYED REFID:935650 06/20/24 10:33:08

LAR PO: gov-11692

ACCOUNT NAME: MAURY COUNTY COURTHOUSE

AUTH BUYER: WALKER ROBIN

ACCOUNT WILL BE BILLED UPON MERCHANDISE TRANSACTION
DATE FOR STOCK MERCHANDISE AND NO LATER THAN 90 DAYS
FROM TRANSACTION DATE FOR SOS OR DIRECT DELIVERY
MERCHANDISE.

STORE: 0729 TERMINAL: 24 06/20/24 10:33:15

OF ITEMS PURCHASED: 8

EXCLUDES FEES, SERVICES AND SPECIAL ORDER ITEMS



THANK YOU FOR SHOPPING LOVE'S.

FOR DETAILS ON OUR RETURN POLICY, VISIT

[LOWES.COM/RETURNS](https://www.lowes.com/returns)

A WRITTEN COPY OF THE RETURN POLICY IS AVAILABLE
AT OUR CUSTOMER SERVICE DESK

MYLOWE'S REWARDS CREDIT CARDHOLDERS GET MORE.

FOR DETAILS VISIT [LOWES.COM/MYLOWESREWARDS](https://www.lowes.com/mylowesrewards)

SHARE YOUR FEEDBACK!

ENTER FOR A CHANCE TO BE

ONE OF FIVE \$500 WINNERS DRAWN MONTHLY!

¡ENTRE EN EL SORTEO MENSUAL

PARA SER UNO DE LOS CINCO GANADORES DE \$500!

PO #:	GOV-11692
Order Date:	06/20/2024
Vendor #:	126
Date:	06/20/2024

Print Date: 06/20/2024

Date Needed:

Terms:

SPECIAL INSTRUCTIONS

	Description	Unit Price	Amount
10	Emergency purchase Portable airconditioners for Animal Shelter 95 degree in bldg,	\$5,032.000000	\$5,032.00
	8 portable air cond. (original price per Lowe's employee) 629.00 a piece		
	8 @ \$664.00 - pick up price. changed items because they misquoted item + price!		
Grand Total			\$5,032.00

unencumbered balance to the credit of the
 allotment or fund to meet the expenditure

APPROVED

DocuSigned by:

Pattie Farris
PURCHASING AGENT

DRIZED SIGNATURE



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Thad Jablonski, tjablonski@columbiatn.gov, 931-560-1580

AGENDA ITEM TITLE: APPROVE ANNUAL RENEWAL OF WORKERS' COMPENSATION INSURANCE WITH THE TML PUBLIC ENTITY PARTNERS IN THE AMOUNT OF \$113,761.00

RECOMMENDATION: Approval of renewal of workers' compensation insurance and payment of related invoice.

INFORMATION: The City of Columbia obtains Workers' Compensation insurance coverage through Tennessee Municipal League's Public Entity Partners (PEP), and the policy renewal is July 1 of each year. An invoice for Workers' Compensation insurance premium renewal has been received from PEP and is due for payment. A breakdown of the annual premium as compared to the previous four (4) years follows:

Fiscal Year	Retention Limit	General	Sanitation	Wastewater	Total Premium
2021	\$500,000	\$90,935	\$9,466	\$5,931	\$106,332
2022	\$500,000	\$89,455	\$9,584	\$6,266	\$105,305
2023	\$500,000	\$79,354	\$8,507	\$5,999	\$93,860
2024	\$500,000	\$116,221	\$10,645	\$8,140	\$135,006
2025	\$500,000	\$95,496	\$9,583	\$8,682	\$113,761

Rates increased from the prior year due to increased claims across the PEP pool, which is responsible for the increased premium amount. No member dividend credit was issued for FY 2025.

PEP administers payment of claims, which is coordinated with the City's HR Department.

The City Council is requested to approve the renewal of City workers' compensation insurance and to authorize payment to PEP in the amount of \$113,761.

CERTIFICATION:



(800) 624-9698

www.PEpartners.org

Invoice Date: 7/2/2024

Invoice Due Date: 8/16/2024

Invoice Number: 2550051-IN

COLUMBIA, CITY OF
FINANCE DEPARTMENT
700 NORTH GARDEN STREET
COLUMBIA, TN 38401

Location Code: 8341

Agent Number: 2089

Account Number: 50-0102960

Policy No.: PPR-8341-25

Policy Period: 07/01/2024 to 07/01/2025

Renewal-Single Payment

Billing Period: 07/01/2024 to 07/01/2025

Code	Description of Coverages	Amount
51C	BUILDINGS & PERSONAL PROPERTY	\$240,069.00
52C	EDP EQUIPMENT	\$757.00
53C	MOBILE EQUIPMENT	\$3,543.00

*Please send a copy of invoice
with payment to:*

Total Invoice: \$244,369.00

PUBLIC ENTITY PARTNERS
PO BOX 116553
ATLANTA, GA 30368-6553



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Hanna Miller, hmiller@columbiatn.gov, 931-560-1510

AGENDA ITEM TITLE: RATIFY APPROVAL OF AN AGREEMENT WITH VIDCRUITER, LLC IN THE AMOUNT OF \$3,500

RECOMMENDATION: Approve.

INFORMATION: The City of Columbia is preparing to hire a new City Attorney. VidCruiter's video interview software will enable the City to cast a wide net in its search for the ideal candidate to fill this crucial position. This program also allows city leadership to participate in the interview process without the usual scheduling challenges that arise when interviewing multiple candidates.

CERTIFICATION: The Chief Financial Officer certifies that \$3,500 is budgeted and unencumbered in General Government-Miscellaneous - Software.

ATTACHMENTS: Staff Report, Agreement.

**VIDCRUITER INC.
Order Form**

VIDCRUITER INC.
("VIDCRUITER")
1 Factory Lane Moncton
NB Canada E1C 9M3
Tel 1-855-824-4720

Order Number J-UVCB-3064

Client's Legal Name:

"Customer"

Address:

Phone No.:

This Order Form supplements VidCruiter's Subscription Agreement. The Customer's acceptance of the Order Form shall constitute acceptance by the Customer of VidCruiter's Subscription Agreement which can be found at www.vidcruiter.com/tou, and the additional terms and conditions contained herein, and shall constitute a binding agreement between the parties with regard to the Customer's subscription for VidCruiter's software as a service (SaaS) offering. Any terms or conditions contained in any acknowledgment, invoice, or other communication by the Customer which are inconsistent with the terms and conditions in the Agreement or herein are hereby rejected and will not apply even if the document or communication is accepted by VidCruiter.

1. Fees, Payments and Product

The Customer and VidCruiter hereby agree to the following exclusive pricing terms:

- (a) The subscription price for VidCruiter's SaaS offering shall be for the term listed below:
- (b) The fee is set at \$3,500 USD for one (1) year of service.
- (c) Term begins upon Signing. Here is a full breakdown of products included:
 - VidInterviewing for up to 25 hires per year, \$3,500
 - Unlimited Applicants, Unlimited Users, Unlimited Positions.
 - Data is hosted in USA on the Amazon Web Services (AWS) Network.
- (d) Client support and training for all Users via Chat 24/7.
- (e) Free Unlimited Training is available during the implementation process or for up to 4 months from signing.
- (f) The Customer will get full unlimited use of the VidCruiter system core features for this period.
- (g) Unlimited 24/7 Applicant support for technical issues.
- (h) Client branding and training included as per client experience guide <http://www.vidcruiter.com/client-experience>.
- (i) Invoice must be settled within 30 days of effective date.

THE SIGNING OFFICER OF CUSTOMER WHO EXECUTES THIS ORDER FORM, ACKNOWLEDGES THAT IT HAS BEEN READ AND UNDERSTOOD AND THAT CUSTOMER AGREES TO BE BOUND TO THE SERVICE AGREEMENT.

THIS AGREEMENT IS EFFECTIVE ONLY ON ITS SIGNED ACCEPTANCE BY AN AUTHORIZED SIGNING OFFICER OF VIDCRUITER. NO ONE IS AUTHORIZED TO CHANGE, ALTER BY ITS TERMS AND CONDITIONS OR AMEND THIS PLAN UNLESS AGREED TO IN WRITING BY AN OFFICER OF VIDCRUITER

VIDCRUITER INC.

For: _____
(Referred to as "Customer")

Signed: _____
(Authorized signing Officer #1)

(Name and Title)

Date: _____

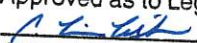
Signed: _____
(Authorized signing Officer)

Sean Fahey - CEO

(Name and Title)

Date: _____

Approved as to Legal Form:


C. Tim Tisher, City Attorney



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Tourism & Marketing Department -Kellye Murphy

AGENDA ITEM TITLE: APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT BETWEEN THE CITY OF COLUMBIA AND JOURNAL COMMUNICATIONS IN THE AMOUNT OF \$10,149 FOR ADVERTISING IN THE 2025 NASHVILLE VACATION GUIDE.

RECOMMENDATION: Approve.

INFORMATION: The City of Columbia will purchase a two-thirds page ad in the annual Nashville Vacation Guide, a bi-annual visitor resource guide, in print and online, to advertise Columbia to Nashville visitors, in the amount of \$10,149.

CERTIFICATION: The Chief Financial Officer certifies that \$10,149 is budgeted and unencumbered in Tourism Enhancement-General Fund - Professional Services.

ATTACHMENTS: Staff Report
Nashville Visitor Guide 2025 Journal Comm



6550 Carothers Pkwy • Suite 420
Franklin, Tennessee 37067
(615) 771-0080 • Fax: (615) 771-0079

Journal Communications Inc
6550 Carothers Parkway
Suite 420
Franklin, TN 37067

Contract ID : 020529
Advertiser ID : 10001198
P.O : NONE

Advertiser (Bill To):
Attention: Kellye Murphy
City of Columbia
700 N Garden St
Columbia, TN 38401
931-560-1510 | kmurphy@columbiatn.com

Agency :

Sales Rep(s)
(193) Will Zanetis
wzanetis@jccom.com

Publication: Nashville Visitors Guide
Contract Status: Approved Internally

Billing Email: kmurphy@columbiatn.com

Contract Description: Contract to include: 2/3 Page Vertical to be included in 2025 Official Nashville Visitors Guide (Jan-June & July-Dec), Live Link via Digital Version (hosted on VisitMusicCity.com), Comp Approve Discounts.

PRINT

Pub / ID #	Issue	Onsale Date	Position	Description
0205 / 120550	29		GEN : General	COLOR, 2/3 PAGE YEARLY

Ad Close Date 08/02/2024

Item : DISCOUNT- COMP APPROVE

Headline :
Special Instructions : Artwork due 7/19/24 for January 24 Issue

0205 120549 30

GEN : General
COLOR, 2/3 PAGE,
YEARLY

Ad Close Date 01/31/2025

Item : DISCOUNT- COMP APPROVE

Headline :
Special Instructions : Artwork due 1/20/25 for July 25 Issue

Special Instructions

Total Summary

Space : \$11,070.00
ADJ / DISC : \$-921.00
Agency DISC : \$0.00
Sales Tax : \$0.00
Contract NET : \$10,149.00

Advertisement Terms

TERMS



6550 Carothers Pkwy • Suite 420
Franklin, Tennessee 37067
(615) 771-0080 • Fax: (615) 771-0079

Journal Communications Inc
6550 Carothers Parkway
Suite 420
Franklin, TN 37067

Contract ID : 020529
Advertiser ID : 10001198
P.O : NONE

NET 30 DAYS FROM DATE OF INVOICE. Rates are net unless otherwise indicated. Finance charge at a MONTHLY RATE of 1.5% is added to contracted balance if unpaid for 30 days. This is an annual percentage rate of 18%.

Credit Card Processing Fee

All payments processed by a credit card will have a 3% processing fee added to the balance.

CONDITIONS

This is an order and authorization to secure advertising space with Journal Communications Inc.

In the event the Advertiser or Agency needs to cancel the contracted advertising space, the Advertiser or Agency is required to submit written notice of cancellation within 7 days of contract, via certified mail, to Publisher.

In the event the Advertiser or Agency fails to adhere to the deadline for submitting ad materials as stated, Publisher will run a previous ad or run the Advertiser's name and address in the space committed for the ad.

Publisher reserves the right to hold the Agency and/or Advertiser jointly and severally responsible for monies due and payable to Publisher. It is further agreed that the Agency and/or Advertiser will pay a reasonable collection/ attorney's fee in the event that it is necessary to place this account in the hands of a collection agency/attorney for collection for any reason. Venue for any disputes arising hereunder shall be at Williamson County, Tennessee. Tennessee Law shall govern all provisions of this contract. The Agency agrees that it is acting for its disclosed principal, the Client, and as such binds itself and the Client to the terms and conditions of this contract. Agency shall be liable for payment of sums due hereunder.

Publisher may look to either Agency or Advertiser for payment. Payment by Advertiser to Agency does not alleviate obligation of Advertiser to Publisher for payment in full. The Publisher is not responsible for any errors in type set by the Publisher for advertisements that have been proofed and approved by the Advertiser or its Agency.

PROOFING POLICY

A PDF color proof will be emailed for approval prior to publication for all original ads. Changes requested by the Advertiser and/or Agency on this proof will be provided at no charge, and a second proof will be emailed if requested. ***Any changes requested by the Advertiser subsequent to the second proof will be billed for production time at an hourly rate (minimum \$50).***

Journal Communications Inc. does not provide a proof for ads submitted digitally or as film. Ad content subject to Publisher's approval. It is understood the Advertiser and/or Agency has approved the material prior to its receipt. Publisher will conclude that the files are set up as Advertiser and/or Agency intends them to be produced and we will output the ad as supplied. Publisher is not responsible for the final quality of the ad. If there is a pre-press problem with the submitted digital file, any extra charges incurred will be billed to the Advertiser and/or Agency with a detailed explanation of the problem.

Production Specifications

SUBMITTING A DIGITAL AD

For submitted digital files, our free services include checking Advertiser- and/or Agency-submitted files to ensure they meet our specifications for magazine printing. Journal Communications is not responsible for enhancing your digital files, resizing to match ad space purchased or proofreading for spelling and grammatical errors. The quality of submitted digital files is the responsibility of the submitter.

If files deviate from the size or specifications on the Digital Submission form, the files will be rejected and must be resubmitted.

Please proof your ad carefully before submission. Resubmitted files will be subject to a \$50 processing fee.

We do not provide a proof for ads we did not produce. It is understood that the files are set up as the Advertiser intended and were approved prior to submission to Journal Communications Inc.

Any extra charges incurred by Journal Communications Inc. due to problems with supplied files will be billed to the Advertiser with a detailed explanation of the problem.

ORIGINAL ADS

Journal Communications Inc. can assist in producing an original ad. Advertiser and/or Agency should provide a basic layout with all necessary materials to produce ad. The advertising salesperson will assist in this process. Journal's Ad Production division provides basic typesetting and design services for original ads free of charge. **These do not include services that an advertising agency would provide.** Journal Communications free basic typesetting and design services include:

- Typing customer-provided text
- Choosing a visually pleasing, professional font



6550 Carothers Pkwy • Suite 420
Franklin, Tennessee 37067
(615) 771-0080 • Fax: (615) 771-0079

Journal Communications Inc
6550 Carothers Parkway
Suite 420
Franklin, TN 37067

Contract ID : 020529
Advertiser ID : 10001198
P.O. : NONE

- Placing logo and/or photos in provided layout.

Custom production work, such as cleaning up rough logos, resetting logos, drawing maps and outlining photos, can be performed at an extra charge. Custom work is billed at \$75/hour.

Custom photo work, such as feathering, fading or custom edging, can be performed at a fixed rate per photo. *Please note: All charges/rates listed are subject to change.*

FORMATTED ADS

- All ads produced by the Publisher are formatted in the style approved by the magazine client.
- Visit ads.jnlcom.com for specifications and submission guidelines.
- A low res color PDF proof will be emailed prior to publication.
- Custom production work available at an hourly rate of \$75/hour.

Please note: All charges/rates listed are subject to change.

ONLINE ADS

Visit livmedia.com/ads for submission guidelines.

LISTING ENHANCEMENTS

For enhancements that include a logo, new logos must be submitted by the materials deadline on the contract. Logos that are not received by the deadline will receive a standard logo to be determined by the Publisher.

I hereby authorize and agree to all terms and conditions of this contract.

Approved as to Legal Form:


C. Tim Tisher, City Attorney



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Tourism & Marketing Department -Kellye Murphy

AGENDA ITEM TITLE: APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT BETWEEN THE CITY OF COLUMBIA AND ANAS SABA IN THE AMOUNT OF \$4,000 FOR A FALL 2024 SOCIAL MEDIA INFLUENCER MARKETING CAMPAIGN

RECOMMENDATION: Approve.

INFORMATION: Visit Columbia plans to work more with social media influencers as part of the marketing strategy designed to reach travelers through Instagram, the Visit Columbia website, and blog posts to encourage and inspire travel to Columbia while building brand awareness.

CERTIFICATION: The Chief Financial Officer certifies that \$4,000 is budgeted and unencumbered in Tourism Enhancement-General Fund - Professional Services.

ATTACHMENTS: Staff Report
Saba Contract July 2024

Influencer Brand Collaboration Contract

This Influencer Brand Collaboration Contract ("Contract") is entered into on July 19, 2024 ("Effective Date") between Anas Saba, referred to as the "Influencer," and the City of Columbia TN, referred to as the "Brand." This Contract outlines the terms and conditions of the collaboration between the Influencer and the Brand.

1. Scope of Work:

The Influencer shall create and share social media content for the Brand as described at designated posting dates and times.

- Two (2) Instagram Reel
- Six (6) Instagram Stories
- Fifteen (15) Images for City of Columbia TN digital usage
- blog write up for City of Columbia TN

Content will be captured in early fall 2024, with the first piece content being delivered within fourteen (14) days of content capture.

Hereinafter known as the "Content."

The Content must be original, factual, compliant with the terms and conditions of the social media platforms used, compliant with all applicable FTC guidelines, and must contain any tags, links, or titles the Brand requests to be included in the uploaded media. Content shall not contain any libelous material. Nudity, pornographic, profane, or obscene Content is prohibited. Brand may request that any and all social media posts be removed immediately if the Content violates any federal, state, or local law, or if the Brand determines, in its sole discretion, that the Content is inappropriate. If the Brand determines the Content to be inappropriate, the Influencer may provide acceptable replacement Content within ten days of notification of rejection. If Influencer fails to provide acceptable replacement Content within such ten-day period, then it would be a material breach, and the Brand may terminate the Contract and shall not be obligated to compensate the Influencer as stated below.

2. Compensation:

In consideration of the content created and shared by the Influencer, the Brand agrees to compensate the Influencer with a total payment of Four Thousand Dollars and Zero Cents \$4,000.00. Payment will be made upon completion of posting. Payment to be paid via check or ACH (Invoice sent and payable honeybook.com). Payment to be sent within 30 days of posting. Influencer is responsible for all relevant taxes related to compensation under this Agreement.

3. Content Rights:

The Influencer grants the Brand the non-exclusive, worldwide, royalty-free license to use, reproduce, display, and distribute the content created under this Contract for promotional and marketing purposes. The Influencer retains the right to use the content in their portfolio and on their personal social media accounts.

- 365 days organic usage for all video content
 - Files to be shared to brand without inlaid text or buttons
- Organic usage in perpetuity for static images delivered

4. FTC Compliance:

Both parties acknowledge and agree to comply with the Federal Trade Commission (FTC) guidelines regarding the disclosure of sponsored content. The Influencer will clearly and conspicuously disclose their relationship with the Brand in all content created as part of this collaboration.

5. Termination:

Either party may terminate this Contract in the event of a material breach by the other party.

6. Confidentiality:

Both parties agree to keep all campaign-related information, strategies, and data confidential, both during and after the collaboration period.

7. Indemnification:

The Influencer agrees to indemnify and hold the Brand harmless from any claims, damages, or liabilities arising from the content created and shared as part of this collaboration.

8. Additional Provisions:

This Contract contains the full agreement of the parties, and no prior representation or assurance, verbal or written not contained herein, shall affect or alter the obligations of either party hereto. Brand and Influencer accept this Contract subject to all federal, state, and municipal laws and regulations. This Contract is not assignable by Influencer, nor may the subject of the advertising be changed without the consent of Brand. This Contract shall be governed by and construed in accordance with the laws of the State of Tennessee. Any disputes arising from this Contract shall be resolved through arbitration. By signing below, both parties acknowledge their understanding and acceptance of the terms outlined in this Influencer Brand Collaboration Contract.

Content Creator

Name: _____

Signature: _____

Date: _____

City of Columbia TN

Name: _____

Signature: _____

Date: _____

Approved as to Legal Form:


C. Tim Tisher, City Attorney



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Tourism & Marketing Department -Kellye Murphy

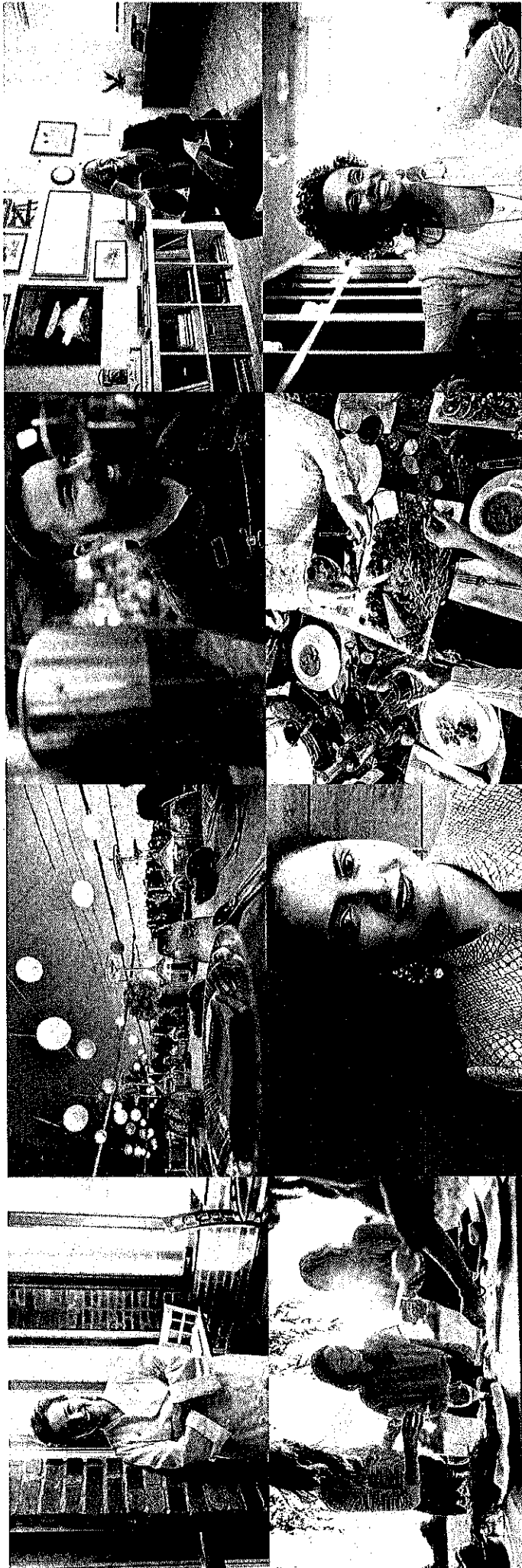
AGENDA ITEM TITLE: APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT BETWEEN THE CITY OF COLUMBIA AND STYLEBLUEPRINT FOR A HOLIDAY DIGITAL MARKETING CAMPAIGN IN THE AMOUNT OF \$3,250

RECOMMENDATION: Approve.

INFORMATION: StyleBlueprint Holiday 2024 Travel Co-op Digital Marketing Package: 'Best Towns for the Holidays 2024' includes co-sponsored article, boosted campaign, and co-op Instagram post.

CERTIFICATION: The Chief Financial Officer certifies that \$3,250 is budgeted and unencumbered in Tourism Enhancement-General Fund - Professional Services.

ATTACHMENTS: StyleBlueprint IO# P7683 Holiday Co-op 2024



StyleBlueprint

FOR A LIFE OF STYLE + SUBSTANCE delivered daily

City of Columbia TN | Travel Co-op

**WOMEN
OWNED**
CERTIFIED BY | NATIONAL SOCIETY



SBA WOSB
Woman Owned Small Business



StyleBlueprint Holiday 2024 Travel Co-op Package: Tennessee's Best Towns for The Holidays 2024

\$3,250* per travel partner All Market Campaign (Value: \$5,880) (minimum 4 cities to participate, no more than 6 cities will be included)

Co-op Sponsored Article + Boosted Campaigns guaranteed = Min 10,000 pageviews

- StyleBlueprint will rotate the article throughout our SB edition daily emails each week for 6 weeks from late October to the mid December. 250 words per partner
- We will promote the article with Meta (FB + Instagram) as well as promote it within our network of other similar quality publications. Possibilities include *Vanity Fair*, *Vox*, *Business Insider*, *Food & Wine*, and other top-tier publications. The article will only be promoted to a similar demographic which reads StyleBlueprint. **Min = 3 million impressions**

Co-op Instagram Post

- Each destination will be included in a sponsored Instagram post, featuring all partners



Fee Schedule

Name	Unit price	Billing frequency	Quantity	Amount
SB Travel Co-op - Level 3 Holiday (2024/2025)	\$3,250.00	One time	1	\$3,250.00
Total: \$3,250.00				

Billing Contact Name:

Billing Contact Email:



TERMS & SIGNATURE



These Terms and Conditions and the service details and terms above comprise the parties' agreement (the "Agreement"). To the extent there is a conflict between these Terms and Conditions and any other agreement, purchase order, service order, or other document, these Terms and Conditions will govern.

- 1. Services.** Client retains StyleBlueprint LLC (doing business as Blueprint, Inc) and StyleBlueprint agrees to provide to Client the services described above, subject to the terms and conditions of this Agreement (the "Services"). Any modifications to the Services must be in a writing signed by both parties. StyleBlueprint's performance of the Services is subject to Client's cooperation and fulfillment of its obligations under these Terms and Conditions, and StyleBlueprint shall have no obligation either during or after the Term to perform any of the Services available to Client under this Agreement if Client fails to cooperate and fulfill its obligations necessary for StyleBlueprint's performance of such Services or if Client declines such Services or fails to avail itself of such Services during the Term.
- 2. Client Obligations.** Client will submit to StyleBlueprint the advertisements and other content and materials requested as necessary for Client's performance of the Services in accordance with StyleBlueprint's submission specifications. All materials submitted to Blueprint, Inc/StyleBlueprint are approved for use in marketing campaigns and free of any copyrights prohibiting this.
- 3. Client-Provided Content.** StyleBlueprint reserves the right to reject any advertisement or other content or materials provided by Client if, within StyleBlueprint's reasonable discretion, (i) they do not comply with StyleBlueprint's specific formatting, editorial, and publishing guidelines; (ii) StyleBlueprint believes that the content, or the publication of the content, violates or will violate any applicable law, rule, or regulation; or (iii) StyleBlueprint believes that the content does not comply with reasonable moral standards promulgated by StyleBlueprint or society in general, including, without limitation, information deemed abusive, profane, defamatory, or harassing. If StyleBlueprint rejects an advertisement or other content or material and Client is unable or unwilling to submit acceptable alternative material, then this Agreement will be deemed cancelled. StyleBlueprint is not responsible for errors or omissions in any advertisement or other content or materials provided by Client. StyleBlueprint reserves the right to place the words "paid advertisement" within or adjacent to all advertisements that resemble editorial matter.
- 4. Copyright and Content License.** Client agrees that the copyright in any advertisements or content created under this Agreement by StyleBlueprint or its employees or contractors is owned by StyleBlueprint. Each party owns and reserves the rights to its own material, content, and trademarks and service marks. Client grants to StyleBlueprint the right to use advertisements and other content and materials, including, without limitation, Client's trademarks and service marks, provided by or on behalf of Client to StyleBlueprint for purposes of StyleBlueprint's fulfillment of its obligations under this Agreement.
- 5. Fees, Costs, and Payment.** Client agrees to pay StyleBlueprint the fees and costs described above, including deposits and set-up fees and other listed fees and costs, in accordance with the payment plan and the payment method specified above and by the due dates specified above. Client will pay the deposit set forth above to StyleBlueprint on execution of this Agreement. Deposits are non-refundable and shall be applied to remaining fees due under the Agreement. Any set-up fees shall be non-refundable after the commencement of the Services and are separate from and not included within the additional fees described above. Client agrees to reimburse StyleBlueprint for its costs and reasonable attorneys' fees in collecting any unpaid charge under this Agreement. Client will be responsible for interest on all amounts overdue by more than thirty (30) days at a rate of the lesser of one and one-half percent (1.5%) or the maximum rate allowable by applicable law.
- 6. Term, Rate.** Unless terminated earlier as set forth below, this Agreement will be in effect from the Effective Date through the Term specified above, and will renew automatically at the end of the Term on a month-to-month basis unless either party notifies the other in writing of non-renewal within thirty (30) days of expiration of the then current Term. Notwithstanding the foregoing, this Agreement shall not renew beyond the original Term in the event of pre-pay short-term campaigns, including, without limitation, dedicated content, event packages, social media packages, SB offer emails, and three-month ad suites, and "Top Lists". "Top Lists" will be notified 60-days before the end of their package and have until 45-days before the end of their package to renew. Otherwise, their slot may be sold to a new partner.

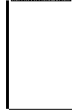


- a. For renewing packages, after 12-months, Client has a guaranteed rate equal to this contracted base rate plus 3% annual increase for each 12-month period thereafter until this contract is terminated.

7. Termination and Post-Termination.

- a. Either party may terminate this Agreement if the other party materially breaches any provision, warranty, or representation in this Agreement and, if such breach is curable, it remains uncured for a period of ten (10) days following receipt of written notice detailing the breach. Client's failure timely to pay any amounts due under this Agreement will constitute material breach. StyleBlueprint may terminate this Agreement for any reason with thirty (30) days' written notice.
- b. If at any time during the term of this Agreement, either party becomes insolvent, makes a general assignment for the benefit of its creditors, suffers or permits the appointment of a receiver for its business, or becomes subject to any proceeding under bankruptcy laws or any other statute or laws relating to the insolvency or protection of the rights of creditors, the other party may, in addition to any other rights or remedies it may have, immediately terminate this Agreement by written notice of termination to such party.
- c. Client may give 30-day written notice to cease contract any time after the initial 90 days of this contract have been fulfilled. Contract and payments will cease at the Sponsor's next billing period on or after the 30-day notification.
- d. If (i) Client terminates this Agreement for any reason, (ii) this Agreement is deemed cancelled for Client's failure to provide the advertisements, content and materials necessary for StyleBlueprint to perform the Services in accordance with StyleBlueprint's required specifications or an acceptable substitution in StyleBlueprint's reasonable discretion, or (iii) StyleBlueprint terminates this Agreement for Client's material breach, all amounts due for Services that have been fulfilled by StyleBlueprint as of the date of termination, including associated amortized fees and costs, will immediately become due and payable. All provisions under this Agreement that, by their nature, are intended to survive any termination or expiration of this Agreement will survive.

Initial here to agree to the above termination terms and conditions:



1. **Representations and Warranties.** Client represents and warrants that: (a) it has full power and authority to enter into this Agreement and perform its obligations under this Agreement; (b) it holds all of the necessary rights to permit the use of the advertisements and all materials and content it provides under these Terms for such use, including, without limitation, names, portraits, likenesses, testimonials, photographs, illustrations, graphics, audio clips, video clips, text, data, trademarks, copyrighted material, or any other information, content, display, or material (whether written, graphic, sound, or otherwise) (collectively, the "Materials"); (c) the use, reproduction, distribution, or transmission of the Materials and any material or content accessible or acquired through the advertisement will not violate any laws, rules, or regulations or any rights of any person or entity, including, without limitation, infringement or misappropriation of any copyright, patent, competition, defamation, invasion of privacy or rights of publicity, violation of any anti-discrimination law or regulation, or any other right of any person or entity; (d) the Materials will contain no inaccuracies of fact; (e) it will fulfill all representations and commitments made in the Materials; and (e) it will act at all times in accordance with all applicable laws, rules, and regulations in connection with these Terms and Conditions.



2. **Indemnification.** Client indemnifies and will hold harmless StyleBlueprint and its affiliated companies and its and their respective employees, owners, officers, directors, shareholders, members, partners, agents, contractors, and representatives from and against any and all death, personal injury, property damage, loss, liability or claim of liability, expenses, fines and penalties including attorneys' fees arising from the Client's breach of any of the representations, warranties, or obligations under this Agreement; the use of Client's products or services; or the use, reproduction, distribution, or transmission of the Materials. Client may not settle any potential suit hereunder without the indemnified party's prior written approval (not to be unreasonably withheld, conditioned, or delayed). Client may not, without the prior written consent of the party entitled to be indemnified, enter into any settlement agreement regarding any claim under this Section that (i) admits fault or liability of the party entitled to be indemnified; (ii) places future obligations on the party entitled to be indemnified; or (iii) is not confidential by its express terms.
3. **Disclaimer.** EXCEPT AS OTHERWISE SET FORTH IN THIS AGREEMENT, STYLEBLUEPRINT EXPRESSLY DISCLAIMS ALL WARRANTIES REGARDING ITS SERVICES, INCLUDING ANY IMPLIED WARRANTIES ARISING FROM COURSE OF DEALING OR COURSE OF PERFORMANCE, AND ANY WARRANTY REGARDING (A) THE NUMBER OF PERSONS WHO WILL ACCESS ANY ADVERTISING OR OTHER CONTENT PUBLISHED UNDER THIS AGREEMENT; (B) ANY BENEFIT CLIENT MIGHT OBTAIN FROM THE PUBLICATION OF SUCH ADVERTISING OR CONTENT; AND (C) THE SPEED, ACCESSIBILITY, OPERATION OR FUNCTIONALITY OF SUCH PUBLISHED ADVERTISING OR CONTENT. THIS DISCLAIMER WILL APPLY EVEN IF THE EXPRESS WARRANTIES SET FORTH IN THIS AGREEMENT FAIL IN THEIR ESSENTIAL PURPOSE.
4. **Limitation of Liability.** IN NO EVENT WILL STYLEBLUEPRINT BE LIABLE TO CLIENT OR ANY THIRD PARTY FOR ANY INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL, OR EXEMPLARY DAMAGES, INCLUDING LOST PROFITS, EVEN IF SUCH DAMAGES ARE FORESEEABLE AND REGARDLESS OF WHETHER STYLEBLUEPRINT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. IF, DESPITE THE FOREGOING, LIABILITY IS NEVERTHELESS IMPOSED ON STYLEBLUEPRINT FOR ANY REASON, IN NO EVENT WILL STYLEBLUEPRINT BE LIABLE TO CLIENT FOR ANY AMOUNT GREATER THAN THE AMOUNT PAID BY CLIENT TO STYLEBLUEPRINT UNDER THIS AGREEMENT FOR THE MOST RECENT THREE-MONTH PERIOD PRIOR TO AN ALLEGED CLAIM BY CLIENT.
5. **Non-Assignment/No Partnership.** Client will have no right to assign this agreement, or any provision of this Agreement, without the written permission of StyleBlueprint. The parties to this Agreement are independent contractors with respect to each other and with respect to all matters arising under this Agreement. Nothing in this Agreement establishes a partnership, joint venture, association, or employment relationship between the parties and/or any exclusive course of dealing. Without limitation on the foregoing, neither party will have the right to bind the other party to any agreement, covenant, or obligation of any kind without the prior written consent of such other party in each instance.
6. **Force Majeure.** If StyleBlueprint's performance of the Services or any obligation under this Agreement is prevented, restricted, or interfered with by causes beyond StyleBlueprint's reasonable control ("Force Majeure"), StyleBlueprint will use reasonable efforts under the circumstances to avoid or remove such causes of non-performance and will proceed to perform promptly whenever such causes are removed or ceased. The term Force Majeure will include, without limitation, acts of God, fire, explosion, vandalism, storm or other similar occurrences, orders or acts of military or civil authority, or by national emergencies, insurrections, riots, or wars.
7. **Miscellaneous.** This Agreement constitutes the entire understanding between the parties with respect to the subject matter of the Agreement and may not be amended except by a writing signed by an authorized representative of each party. This Agreement will be binding on, inure to the benefit of, and be enforceable by the parties and their successors and permitted assigns. This Agreement will be construed in accordance with the laws of the State of Tennessee. Any and all disputes arising under or related to this Agreement must be settled in a court of competent jurisdiction in Davidson County.

Blueprint.Inc Signature:

Liza Graves

Partner Signature:

Approved as to Legal Form:

C. Tim Tisher

C. Tim Tisher, City Attorney



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Tourism & Marketing Department -Kellye Murphy

AGENDA ITEM TITLE: APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT BETWEEN THE CITY OF COLUMBIA AND LAMAR ADVERTISING IN THE AMOUNT OF \$12,000 FOR ROTARY DIGITAL BILLBOARD ADVERTISING IN THE NASHVILLE/MIDDLE TN AREA

RECOMMENDATION: Approve.

INFORMATION: Visit Columbia will utilize Lamar's digital rotary program to place advertising on a variety of billboards designed to reach thousands of travelers daily along interstates and surface streets of the Nashville/Middle TN area, encouraging and inspiring travel to Columbia while building brand awareness.

CERTIFICATION: The Chief Financial Officer certifies that \$12,000 is budgeted and unencumbered in Tourism Enhancement-General Fund - Professional Services.

ATTACHMENTS: Lamar Billboard Contract FY25

Nashville
1993 Southerland Drive
Nashville, TN 37207
Phone: 615-228-5500
Fax: 615-228-5997



CONTRACT # 4657844

Date: 7/19/2024
New/Renewal: NEW
Account Executive: Erica Bussell
Phone: 615-228-5500

CONTRACTED DIRECTLY BY ADVERTISER	
Customer #	759919-0
Name	THE CITY OF COLUMBIA
Address	700 NORTH GARDEN STREET
City/State/Zip	COLUMBIA, TN 38401
Contact	Kellye Murphy
Email Address	kmurphy@columbiatn.com
Phone #	(931) 560-1575
Fax #	
P.O./ Reference #	
Advertiser/Product	THE CITY OF COLUMBIA
Campaign	

Space										
# of Panels: 4								Billing Cycle: Every 4 weeks		
Panel # TAB ID	Market	Location	Illum	Media Type	Size	Misc	Service Dates	# Service Periods	Invest Per Period	Cost
TBD (1)	030-NASHVILLE, TN	TBD		Digital Bulletin		Design: Interstate Bulletin	11/04/24-12/29/24	2	\$3,000.00	\$6,000.00
TBD (1)	030-NASHVILLE, TN	TBD		Digital Bulletin		Design: Surface Street Bulletin	11/04/24-12/29/24	2	\$1,000.00	\$2,000.00
TBD (1)	030-NASHVILLE, TN	TBD		Digital Poster		Design: Surface Street Poster	11/04/24-12/29/24	2	\$500.00	\$1,000.00
TBD (1)	030-NASHVILLE, TN	TBD		Digital Bulletin		Design: Interstate Bulletin	03/03/25-03/30/25	1	\$3,000.00	\$3,000.00
Total Space Costs:									\$12,000.00	

Special Considerations: All space is booked as "preemptible" and locations will be scheduled based on availalbe space.

Advertiser authorizes and instructs The Lamar Companies (Lamar) to display in good and workmanlike manner, and to maintain for the terms set forth above, outdoor advertising displays described above or on the attached list. In consideration thereof, Advertiser agrees to pay Lamar all contracted amounts within thirty (30) days after the date of billing. Advertiser acknowledges and agrees to be bound by the terms and conditions on all pages of this contract.

The Agency representing this Advertiser in the contract executes this contract as an agent for a disclosed principal, but hereby expressly agrees to be liable jointly and severally and in solido with Advertiser for the full and faithful performance of Advertiser's obligations hereunder. Agency waives notice of default and consents to all extensions of payment.

The undersigned representative or agent of Advertiser hereby warrants to Lamar that he/she is the Mayor of Columbia

(Officer/Title)

of the Advertiser and is authorized to execute this contract on behalf of the Advertiser.

Customer:	THE CITY OF COLUMBIA
Signature:	(signature above)
Name:	(print name above)
Date:	(date above)

THE LAMAR COMPANIES

This contract is NOT BINDING UNTIL ACCEPTED by a Lamar General Manager.

ACCOUNT EXECUTIVE: Erica Bussell

GENERAL MANAGER

DATE

INITIALS



Approved as to Legal Form:

C. Tim Tisher
C. Tim Tisher, City Attorney

Page 1 of 3

Nashville
1993 Southerland Drive
Nashville, TN 37207
Phone: 615-228-5500
Fax: 615-228-5997



CONTRACT # 4657844

Date: 7/19/2024
New/Renewal: NEW
Account Executive: Erica Bussell
Phone: 615-228-5500

STANDARD CONDITIONS

1. **Late Artwork:** The Advertiser must provide or approve art work, materials and installation instructions ten (10) days prior to the initial Service Date. In the case of default in furnishing or approval of art work by Advertiser, billing will occur on the initial Service Date.
2. **Copyright/Trademark:** Advertiser warrants that all approved designs do not infringe upon any trademark or copyright, state or federal. Advertiser agrees to defend, indemnify and hold Lamar free and harmless from any and all loss, liability, claims and demands, including attorney's fees arising out of the character contents or subject matter of any copy displayed or produced pursuant to this contract.
3. **Payment Terms:** Lamar will, from time to time at intervals following commencement of service, bill Advertiser at the address on the face hereof. Advertiser will pay Lamar within thirty (30) days after the date of invoice. If Advertiser fails to pay any invoice when it is due, in addition to amounts payable thereunder, Advertiser will promptly reimburse collection costs, including reasonable attorney's fees plus a monthly service charge at the rate of 1.5% of the outstanding balance of the invoice to the extent permitted by applicable law. Delinquent payment will be considered a breach of this contract. Payments will be applied as designated by the Advertiser; non designated payments will be applied to the oldest invoices outstanding.
4. **Service Interruptions:** If Lamar is prevented from posting or maintaining any of the spaces by causes beyond its control of whatever nature, including but not limited to acts of God, strikes, work stoppages or picketing, or in the event of damage or destruction of any of the spaces, or in the event Lamar is unable to deliver any portion of the service required in this contract, including buses in repair, or maintenance, this contract shall not terminate. Credit shall be allowed to Advertiser at the standard rates of Lamar for such space or service for the period that such space or service shall not be furnished or shall be discontinued or suspended. In the case of illumination, should there be more than a 50% loss of illumination, a 20% pro-rata credit based on four week billing will be given. If this contract requires illumination, it will be provided from dusk until 11:00p.m. Lamar may discharge this credit, at its option, by furnishing advertising service on substitute space, to be reasonably approved by Advertiser, or by extending the term of the advertising service on the same space for a period beyond the expiration date. The substituted or extended service shall be of a value equal to the amount of such credit.
5. **Entire Agreement:** This contract, all pages, constitutes the entire agreement between Lamar and Advertiser. Lamar shall not be bound by any stipulations, conditions, or agreements not set forth in this contract. Waiver by Lamar of any breach of any provision shall not constitute a waiver of any other breach of that provision or any other provision.
6. **Copy Acceptance:** Lamar reserves the right to determine if copy and design are in good taste and within the moral standards of the individual communities in which it is to be displayed. Lamar reserves the right to reject or remove any copy either before or after installation, including immediate termination of this contract.
7. **Termination:** All contracts are non-cancellable by Advertiser without the written consent of Lamar. Breach of any provisions contained in this contract may result in cancellation of this contract by Lamar.
8. **Materials/Storage:** Production materials will be held at customer's written request. Storage fees may apply.
9. **Installation Lead Time:** A leeway of five (5) working days from the initial Service Date is required to complete the installation of all non-digital displays.
10. **Customer Provided Production:** The Advertiser is responsible for producing and shipping copy production. Advertiser is responsible for all space costs involved in the event production does not reach Lamar by the established Service Dates. These materials must be produced in compliance with Lamar production specifications and must come with a 60 day warranty against fading and tearing.
11. **Bulletin Enhancements:** Cutouts/extensions, where allowed, are limited in size to 5 feet above, and 2 feet to the sides and 1 foot below normal display area. The basic fabrication charge is for a maximum 12 months.
12. **Assignment:** Advertiser shall not sublet, resell, transfer, donate or assign any advertising space without the prior written consent of Lamar.
13. **Digital Provisions:** Lamar will strive to provide Advertisers with 100% of the time they contract. However, due to problems with power interruptions, emergency governmental warnings (e.g. Amber Alerts) or other unforeseen interruptions, Lamar is guaranteeing copy will be displayed an average of 92.5% of the time contracted. If a location should be lost during the period of display for any reason, a digital location of equal advertising value will be substituted or credit issued for the loss of service. For purposes of determining whether a credit is due, the average number of guaranteed impressions per day will be measured over the duration of the contract, e.g., during a four week contract, the available impressions during the entire four week term of the contract will be calculated and 92.5% of that number will be used as the basis to determine whether a credit is due the Advertiser. If Lamar has provided 92.5% or greater of available impressions, then no credit will be due.

INITIALS _____



Nashville
1993 Southerland Drive
Nashville, TN 37207
Phone: 615-228-5500
Fax: 615-228-5997



CONTRACT # 4657844

Date: 7/19/2024
New/Renewal: NEW
Account Executive: Erica Bussell
Phone: 615-228-5500

14. Customer Supplied Content (ISpots) License and Indemnity Agreement

Copyright/Trademark: Advertiser warrants that all approved designs do not infringe upon any trademark or copyright, state or federal. Advertiser agrees to defend, indemnify and hold Lamar free and harmless from any and all loss, liability, claims and demands, including attorney's fees arising out of the character, contents or subject matter of any copy displayed or produced pursuant to this contract.

14(a) - Customer Supplied Content - When Advertiser desires to purchase digital advertising from Lamar featuring images, photographs, graphics, text, data, or other such media ("Customer Supplied Content (CSC)") that will be provided by Advertiser, some of which may be owned and/or provided, directly or indirectly, by a third party (hereinafter "Third Party Customer Supplied Content or Third Party CSC"):

(i) the Advertiser shall be solely responsible to ensure the appropriateness and inoffensive or otherwise innocuous nature of the CSC or Third Party CSC.

(ii) Advertiser acknowledges that Advertiser is solely responsible for acquiring, licensing, and/or purchasing any Third Party CSC and/or has the authority to use and to license CSC and Third Party CSC.

(iii) Advertiser warrants that the CSC and/or Third Party CSC will comply with all applicable local, state and federal laws and regulations.

(iv) Advertiser shall be solely responsible for the truthfulness, accuracy, integrity, and lawfulness of the CSC and/or Third Party CSC.

(v) Advertiser shall defend, cover, indemnify and hold Lamar harmless for all loss, expense or damages, of whatever nature, which may be incurred by Lamar as a result of any claims or actions in connection with Lamar's or Lamar's affiliates and subsidiaries for use of the CSC or Third Party CSC. Claims or Actions shall specifically include but not be limited to the CSC's or Third Party CSC's public appropriateness. The foregoing duty to defend, cover and indemnify shall include, without limitation, a duty to pay any attorneys' fees and other costs of defense incurred by Lamar and its affiliates or subsidiaries.

(vi) Advertiser hereby grants to Lamar a paid up, non-exclusive, royalty-free license to use, reproduce, display, perform and modify the CSC and Third Party CSC, on its digital displays or to adapt the CSC and Third Party CSC for such use. The license granted herein includes the right to prepare works which may be considered derivative works of the CSC and/or Third Party CSC or any Intellectual property contained therein. Additionally, Advertiser grants to Lamar such trademark license rights as may be necessary for Lamar to use the CSC and Third Party CSC on its digital displays.

INITIALS _____





CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Tourism & Marketing Department -Kellye Murphy

AGENDA ITEM TITLE: APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT BETWEEN THE CITY OF COLUMBIA AND TRAILHEAD MEDIA IN THE AMOUNT OF \$9,750 FOR ONE YEAR OF DIGITAL BILLBOARD ADVERTISING ON NORTHBOUND INTERSTATE 65

RECOMMENDATION: Approve.

INFORMATION: Digital billboards are just one tactic of the Visit Columbia marketing strategy designed to reach thousands of travelers daily along interstates and surface streets of the Nashville/Middle TN area, encouraging and inspiring travel to Columbia while building brand awareness.

CERTIFICATION: The Chief Financial Officer certifies that \$9,750 is budgeted and unencumbered in Tourism Enhancement-General Fund - Professional Services.

ATTACHMENTS: Staff Report
Trailhead Media Contract FY25



CONTRACT FOR OUTDOOR ADVERTISING

2024-07-19 12:10:29 31139-0

CONTRACTED BY:			ON BEHALF OF ADVERTISER:		
CUSTOMER #	29747	C03126	CUSTOMER #		
NAME	Visit Columbia TN		NAME		
ADDRESS	700 North Garden St		ADDRESS		
CITY/STATE/ZIP	Columbia, TN 38401		CITY/STATE/ZIP		
CONTACT	Kellye Murphy		CONTACT		
EMAIL ADDRESS	kmurphy@columbiatn.com		EMAIL ADDRESS		
PHONE #	931-560-1575		PHONE #		
P.O.#					
ADVERTISER	Visit Columbia TN				

Qty	Product Description	Illum	Size	Term in 4-week Periods	Service Dates	Production Rate	Rate Per Period
1	10787-1, Digital, TN 1, I-65 330' S/O Luther Sharp Rd WS, SE/F, Regular, 1 Slot	Yes	10'6 x 36' (416px x 1472px)	13	10/01/2024 - 09/29/2025	0.00	750.00
						Amount Per Period (Net)	\$750.00
						Total	\$9,750.00
						Estimated Production (Contract) TOTAL	\$0.00
						Additional Production May be Ordered Upon Request.	
						Grand Total (Net)	\$9,750.00
Notes:							

Agency/Advertiser hereby contracts for the outdoor advertising services described above upon the terms set forth above AND ON PAGE 2 OF 2. Contracts transmitted to Trailhead Media, LLC via fax machines or e-mail are to be treated as original contracts and are subject to the terms and conditions on the second page. This contract must be signed by both Agency or Advertiser and Trailhead Media, LLC to be effective. This contract is non-cancelable by agency/advertiser.

Advertiser:	Agency:
Signature: _____	Signature: _____
Printed Name: _____ Date: _____	Printed Name: _____ Date: _____

Trailhead Media, LLC	Name:	Date:
Signature: _____		

FOR INTERNAL USE: (T)


 New
Renewal

☒

Account Executive

Bobby L. Hart

Ph#: 731-267-3121

Mailing Address

Trailhead Media, LLC

P.O. Box 745773

Atlanta, GA 30374-5773

Ph#: 601-651-7800 Fax#: 601-602-8219

Approved as to Legal Form:

C. Tim Tisher, City Attorney

TERMS AND CONDITIONS

1. Relationship of the Parties :

(a) If this Agreement is with an Agency, Agency represents that it possesses the authority to act and is acting as agent (with authority to fully bind) for the Advertiser named on the face hereof (the "Advertiser").

i. If Agency has signed, Agency will be liable for the payment of sums due under this Agreement and Trailhead will look solely to Agency for the payment thereof, unless and until Agency becomes delinquent in its payments to Trailhead, or insolvent, at which time, without relieving the Agency of such liability until Trailhead is paid in full, Advertiser will be liable jointly and severally to Trailhead on all unpaid amounts due under this Agreement.

ii. Nothing herein contained relating to the payment of billings by Agency will be construed so as to relieve Advertiser of, or diminish Advertiser's liability for, breach of its obligations hereunder.

iii. If this Agreement is with an Agency (a.k.a media buying service), all references herein to "Advertiser" will apply to such Agency.

(b) If this Agreement is made directly with Advertiser, reference herein to "Advertiser" will apply to the business referenced herein as Advertiser.

2. Payment: Advertiser agrees to pay the total price according to the payment schedule set out in this Agreement. This Agreement is not cancellable by Advertiser. All such payments are due within fifteen (15) days of invoicing of each applicable advertising period and are subject to a late payment charge of 1.5% per month (prorated for partial months), or the maximum amount permitted by law, whichever is less, on the outstanding balance not paid by the due date. All checks must be made payable to "Trailhead Media, LLC" and sent to Trailhead's address on the first page of this Agreement. Advertiser will be solely responsible for the payment of any additional sales, use, privilege, excise, commercial rent, and/or other taxes imposed or assessed by a governmental/quasi-governmental agency against Advertiser, in connection with this Agreement. If Advertiser does not pay any amount when due under this Agreement, or otherwise fails to perform any of its obligations under this Agreement, Trailhead may, in addition to any other remedies available to Trailhead in law or in equity, cease all of Advertiser's advertising at the subject location(s), declare all unpaid sums immediately due and payable, terminate the Agreement in writing to Agency/Advertiser, and retain all sums previously received from Advertiser as a setoff against expenses incurred by Trailhead.

3. Advertiser supplied Artwork: All display copy (including, without limitation, artwork, content, and design) must be received by Trailhead at least five (5) business days prior to the scheduled date to post in order to ensure timely placement of advertising. Failure to timely submit copy will not result in a reduction or credit of fees paid for the applicable period of placement under this Agreement. Advertiser is responsible for all costs and expenses in connection with such copy, including the production thereof.

4. Artwork Designed by Trailhead: Advertiser shall be given two "proof" presentations, after which Advertiser shall be responsible for the payment of design fees at the rate of \$150 per change. Advertiser shall be responsible for the full contract display period even if the advertisement cannot be displayed for the full contract period due to late approval and / or delivery of artwork. Advertiser understands the quality of the final design is determined by the materials provided.

5. Approval of Content: Trailhead retains the right of prior approval over all such creative, editorial, entertainment, and commercial content, and may reject any of same (in whole or in part) in its sole and absolute discretion. Advertiser shall deliver such creative and content to Trailhead for such approval process at least ten (10) days prior to the date scheduled for posting.

6. Marks: Advertiser represents and warrants that it is the owner of the trademarks and/or copyrights, or has secured all rights thereto, for all images and advertisement provided to Trailhead for placement and exhibition. Advertiser agrees to defend, indemnify, and hold harmless Trailhead and its officers, directors, members, employees, agents, representatives, affiliates, successors, and assigns from all liability, claims, demands, losses, damages or judgments, including costs and attorneys' fees, arising out of or in connection with the images and advertisement provided by Advertiser.

7. Obligations of Trailhead:

(a) If materials are timely delivered by Advertiser under Paragraph 3 above and approved by Trailhead under Paragraph 4 above, Trailhead will complete posting thereof no later than five (5) business days after the scheduled posting date under this Agreement. Advertiser will have the benefit of the full term of display from the average date of posting, unless such materials are not timely delivered under such Paragraph 3.

(b) Trailhead may reject the content of any advertising copy, submitted by Advertiser for any reason whatsoever, in its sole and absolute discretion. In addition, Trailhead may require advertising copy to be removed at any time once displayed.

(c) Trailhead shall retain exclusive control of the display of the advertising copy.

(d) Proof of Performance Policy: Trailhead will provide one (1) close-up photo or digital print for each creative execution. Rotation cycles will not be photographed unless the Advertising Copy changes.

8. Force Majeure: Trailhead shall not be liable to Advertiser or any other party for any failure to perform any part of this Agreement, including, without limitation, the failure of any advertisement to post or display due to: mechanical or equipment failure; federal, state, or local government action, statute, ordinance, rule, order, or regulation; strike or other labor trouble; riot or other civil disturbance; sabotage, fire, flood, wind, lightning or electrical storm; environmental hazard or other acts of God; pandemics or epidemics; inability to secure equipment or necessary ancillary material or supplies; or, without limiting the foregoing, by any other cause, contingency, or circumstance not subject to or within Trailhead's reasonable control which prevents or hinders Trailhead's performance of this Agreement (each, a "Force Majeure Event"). Any failure to perform or suspension of performance by Trailhead due to a Force Majeure Event shall not constitute a default or breach under this Agreement and Trailhead's sole liability therefore will be to apply a pro-rata credit towards Advertiser's final bill for any day in which Trailhead was unable to perform due to a Force Majeure Event. The operational failure of the signage as required herein will not constitute a default or breach under this Agreement, but Advertiser will be entitled to a return of value equivalent to the value of lost circulation, but not to exceed 20% of the contract price for the period of such operational failure.

9. Default; Remedies : Trailhead may terminate this Agreement immediately by written notice to Advertiser if Advertiser (i) fails to timely deliver any payment to Trailhead, or (ii) materially breaches any other provision of this Agreement and fails to cure such breach to Trailhead's reasonable satisfaction within ten (10) days after receiving written notice of such breach. Upon such termination by Trailhead, all unpaid amounts due from Advertiser to Trailhead during the entire term of this Agreement will immediately become due and payable, together with any late charges under Paragraph 2 above, and Trailhead shall be entitled to pursue all other available legal and equitable remedies in connection therewith, which remedies shall be cumulative. Advertiser may, upon written notice to Trailhead, terminate this Agreement upon material breach and failure to cure the same by Trailhead within ten (10) days after receiving a written notice thereof from Advertiser. Upon such termination by Advertiser, as Advertiser's sole and exclusive remedies, Trailhead will reimburse Advertiser for any amounts paid by Advertiser to Trailhead for periods in which the advertising copy was not displayed in accordance with this Agreement. Advertiser shall not be entitled to, and hereby waives any and all claims for, liquidated or consequential damages. Additionally, in no event shall Advertiser be entitled to specific performance or any other equitable remedy related to this Agreement.

10. Limitation of Damages : NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS AGREEMENT, IN NO EVENT SHALL Trailhead BE LIABLE FOR INDIRECT, INCIDENTAL, LIQUIDATED, OR CONSEQUENTIAL DAMAGES (INCLUDING LOST PROFITS) SUSTAINED OR INCURRED IN CONNECTION WITH SERVICES OR ADVERTISING PROVIDED OR TO BE PROVIDED UNDER THIS AGREEMENT, REGARDLESS OF THE FORM OF ACTION, WHETHER OR NOT SUCH DAMAGES WERE FORESEEN OR UNFORESEEN, IN NO EVENT SHALL Trailhead BE LIABLE FOR DAMAGES, LOSSES OR EXPENSES OF ANY NATURE WHATSOEVER THAT MAY RESULT FROM THE FRAUDULENT OR UNAUTHORIZED USE OF TRADEMARKS, SERVICE MARKS OR OTHER THIRD-PARTY PROPERTY INTERESTS OR CONTENT PROVIDED BY ANY PARTY HEREUNDER.

11. Ownership of Materials : Unless otherwise stated to the contrary on page one of this Agreement, all copy (including, without limitation, artwork, content, design, and vinyls) delivered to Trailhead in connection with this Agreement will become the sole property of Trailhead and may be disposed of as it deems appropriate. Should Advertiser elect to retain such copy (if expressly provided on page one of this Agreement) and fail to retrieve such copy within 30 days of the termination or scheduled expiration thereof, such copy will become the sole property of Trailhead and may be disposed of as it deems appropriate in its sole and absolute discretion without any liability to Agency or Advertiser.

12. Assignment : Without the prior written consent of Trailhead (in its sole and absolute discretion), (i) Agency may not assign this Agreement, except to another agency which succeeds to its business of representing Advertiser and provided that such successor agency assumes (in writing delivered to Trailhead) all of Agency's obligations under this Agreement, and (ii) Advertiser may not assign this Agreement. Advertiser may, upon prior written notice to Trailhead, elect to change the entity serving as "Agency" under this Agreement, provided that such successor agency assumes (in writing delivered to Trailhead) all of Agency's obligations under this Agreement. Trailhead shall be permitted to assign this Agreement, without the consent of Agency or Advertiser, to (i) any affiliate of Trailhead; (ii) an entity that directly or indirectly controls, is controlled by or is under common control with Trailhead where the term "control" means the power to direct the management of an entity through voting rights, ownership or contractual obligations, or otherwise; (iii) an entity which acquires all or substantially all of the assets, or at least a majority of the membership interests, of Trailhead; (iv) an entity which acquires the sign location(s) upon which Agency's/Advertiser's advertisements are located; and/or (v) a lender as a collateral assignment in connection with financing.

13. Confidentiality : Except as previously approved in writing by Trailhead (in its sole and absolute discretion), during and following the term of this Agreement, Agency may disclose the rates, payment terms and other financial terms of this Agreement solely to the Advertiser and their respective employees who have a legitimate need to know such information and shall not disclose any such information to any other third parties. If Agency breaches such confidentiality provisions, Trailhead shall be entitled to terminate this Agreement (including all advertising and services to be provided by Trailhead hereunder) immediately on written notice to Agency, retain any and all deposits and other amounts paid by Agency hereunder, any pursue all other available rights and remedies under applicable law, including, without limitation, injunctive relief. This confidentiality provision shall survive the expiration or earlier termination of this Agreement.

14. Notice : Each Party must provide notices or other communications to the other party in writing by certified mail, hand delivery or delivery by a reputable overnight carrier service to the address noted on page one of this Agreement. The date of notice will be deemed the day the notice is received.

15. Attorneys' Fees and Costs: The prevailing party to any proceeding brought to enforce the terms of this Agreement shall be entitled to a reimbursement of reasonable attorneys' fees and costs from the non-prevailing party.

16. Severability : If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of the Agreement shall nonetheless remain in full force and effect.

17. Entire Agreement and Modification: This Agreement constitutes the entire agreement between the parties with respect to the subject matter. The parties represent that there are no oral or written agreements or representations affecting this Agreement and that this Agreement supersedes and takes precedence over any and all prior agreements, negotiations and understandings, if any, made by and between Trailhead (or its predecessor) and Advertiser with regards to the subject matter hereof. This Agreement may not be modified except by written instrument signed by an authorized representative of both parties.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Tourism & Marketing Department -Kellye Murphy

AGENDA ITEM TITLE: APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT BETWEEN THE CITY OF COLUMBIA AND JOURNAL COMMUNICATIONS FOR ADVERTISING IN THE 2025 TENNESSEE VACATION GUIDE IN THE AMOUNT OF \$8,000

RECOMMENDATION: Approve.

INFORMATION: The City of Columbia will purchase a third page ad in the 2025 Tennessee Vacation Guide in the amount of \$8,000. This popular annual visitor resource guide is available in an online digital version and over half a million copies in print.

CERTIFICATION: The Chief Financial Officer certifies that \$8,000 is budgeted and unencumbered in Tourism Enhancement-General Fund - Professional Services.

ATTACHMENTS: Journal Comm CONTRACT - TN VAC GUIDE 2025



6550 Carothers Pkwy • Suite 420
Franklin, Tennessee 37067
(615) 771-0080 • Fax: (615) 771-0079

Journal Communications Inc
6550 Carothers Parkway
Suite 420
Franklin, TN 37067

Contract ID : 020108

Advertiser ID : 10001198

P.O : NONE

Advertiser (Bill To):
Mayor Charles (Chaz) M. Molder
City of Columbia
700 N Garden St
Columbia, TN 38401
931-560-1510

Agency :

Sales Rep(s)
(15) Maryann Stafford
mstafford@livmedia.com

Publication: Tennessee Vacation Guide
Contract Status: Rep in Setup - Not Sent

Billing Email: NONE

Contract Description: 1/3 horizontal ad, featured attraction listing, Visit Columbia Reader response

PRINT

Pub / IO #	Issue	Onsale Date	Position	Description
0201 / 120655	08		GEN	Print, 1/3 horizontal-stand alone same spot requested
Ad Close Date : 10/04/2024				
Item : DISCOUNT- COMP APPROVED - 54.0900%				
Headline : Special Instructions : new ad to be submitted				
0201 / 120654	08		SA - Basic	Listing, Attraction
Ad Close Date : 10/04/2024				
Item : DISCOUNT- COMP APPROVED - 100.0000%				
Headline : Visit Columbia				

Special Instructions

Total Summary

Space : \$12,260.00
ADJ / DISC : \$-4,260.00
Agency DISC : \$0.00
Sales Tax : \$0.00

Contract NET : \$8,000.00



Advertisement Terms

TERMS

NET 30 DAYS FROM DATE OF INVOICE. Rates are net unless otherwise indicated. Finance charge at a MONTHLY RATE of 1.5% is added to contracted balance if unpaid for 30 days. This is an annual percentage rate of 18%.

Credit Card Processing Fee

All payments processed by a credit card will have a 3% processing fee added to the balance.

CONDITIONS

This is an order and authorization to secure advertising space with Journal Communications Inc.

In the event the Advertiser or Agency needs to cancel the contracted advertising space, the Advertiser or Agency is required to submit written notice of cancellation within 7 days of contract, via certified mail, to Publisher.

In the event the Advertiser or Agency fails to adhere to the deadline for submitting ad materials as stated, Publisher will run a previous ad or run the Advertiser's name and address in the space committed for the ad.

Publisher reserves the right to hold the Agency and/or Advertiser jointly and severally responsible for monies due and payable to Publisher. It is further agreed that the Agency and/or Advertiser will pay a reasonable collection/ attorney's fee in the event that it is necessary to place this account in the hands of a collection agency/attorney for collection for any reason. Venue for any disputes arising hereunder shall be at Williamson County, Tennessee. Tennessee Law shall govern all provisions of this contract. The Agency agrees that it is acting for its disclosed principal, the Client, and as such binds itself and the Client to the terms and conditions of this contract. Agency shall be liable for payment of sums due hereunder.

Publisher may look to either Agency or Advertiser for payment. Payment by Advertiser to Agency does not alleviate obligation of Advertiser to Publisher for payment in full. The Publisher is not responsible for any errors in type set by the Publisher for advertisements that have been proofed and approved by the Advertiser or its Agency.

PROOFING POLICY

A PDF color proof will be emailed for approval prior to publication for all original ads. Changes requested by the Advertiser and/or Agency on this proof will be provided at no charge, and a second proof will be emailed if requested. ***Any changes requested by the Advertiser subsequent to the second proof will be billed for production time at an hourly rate (minimum \$50).***

Journal Communications Inc. does not provide a proof for ads submitted digitally or as film. Ad content subject to Publisher's approval. It is understood the Advertiser and/or Agency has approved the material prior to its receipt. Publisher will conclude that the files are set up as Advertiser and/or Agency intends them to be produced and we will output the ad as supplied. Publisher is not responsible for the final quality of the ad. If there is a pre-press problem with the submitted digital file, any extra charges incurred will be billed to the Advertiser and/or Agency with a detailed explanation of the problem.

Production Specifications**SUBMITTING A DIGITAL AD**

For submitted digital files, our free services include checking Advertiser- and/or Agency-submitted files to ensure they meet our specifications for magazine printing. Journal Communications is not responsible for enhancing your digital files, resizing to match ad space purchased or proofreading for spelling and grammatical errors. The quality of submitted digital files is the responsibility of the submitter.

If files deviate from the size or specifications on the Digital Submission form, the files will be rejected and must be resubmitted.

Please proof your ad carefully before submission. Resubmitted files will be subject to a \$50 processing fee.

We do not provide a proof for ads we did not produce. It is understood that the files are set up as the Advertiser intended and were approved prior to submission to Journal Communications Inc.

Any extra charges incurred by Journal Communications Inc. due to problems with supplied files will be billed to the Advertiser with a detailed explanation of the problem.

ORIGINAL ADS

Journal Communications Inc. can assist in producing an original ad. Advertiser and/or Agency should provide a basic layout with all necessary materials to produce ad. The advertising salesperson will assist in this process. Journal's Ad Production division provides basic typesetting and design services for original ads free of charge. **These do not include services that an advertising agency would provide.** Journal Communications free basic typesetting and design services include:

- Typing customer-provided text
- Choosing a visually pleasing, professional font

- Placing logo and/or photos in provided layout.

Custom production work, such as cleaning up rough logos, resetting logos, drawing maps and outlining photos, can be performed at an extra charge. Custom work is billed at \$75/hour.

Custom photo work, such as feathering, fading or custom edging, can be performed at a fixed rate per photo. *Please note: All charges/rates listed are subject to change.*

FORMATTED ADS

- All ads produced by the Publisher are formatted in the style approved by the magazine client.
- Visit ads.jnlcom.com for specifications and submission guidelines.
- A low res color PDF proof will be emailed prior to publication.
- Custom production work available at an hourly rate of \$75/hour.

Please note: All charges/rates listed are subject to change.

ONLINE ADS

Visit livmedia.com/ads for submission guidelines.

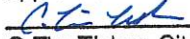
LISTING ENHANCEMENTS

For enhancements that include a logo, new logos must be submitted by the materials deadline on the contract. Logos that are not received by the deadline will receive a standard logo to be determined by the Publisher.

I, _____, hereby authorize, and agree to all terms and conditions of, this contract.



Approved as to Legal Form:


C. Tim Tisher, City Attorney



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Jill Carlson, Sr. Administrative Assistant, jcarlson@columbiatn.com, 931-560-1451

AGENDA ITEM TITLE: APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE NON-EXCLUSIVE USE AND OCCUPANCY PERMIT BETWEEN THE CITY OF COLUMBIA AND COLUMBIA YOUTH ATHLETIC ASSOCIATION FOR THEIR 2024 FOOTBALL SEASON - WARDS 4 AND 5 – PARKS AND RECREATION DEPARTMENT.

RECOMMENDATION: Approve.

INFORMATION: The Columbia Youth Athletic Association is requesting the renewal of their annual Non-Exclusive Use and Occupancy Permit to utilize the Eva Gilbert Park's football and softball fields for the upcoming 2024 season.

Columbia Youth Athletic Association offers registration discounts to eligible participants based on the Maury County school system guidelines in place for free and reduced lunches.

ATTACHMENTS: Columbia Youth Athletic Association Non-Exclusive Use and Occupancy Permit with insurance.



Parks and Recreation Department

**NON-EXCLUSIVE
USE AND OCCUPANCY PERMIT
2024**

This permit is executed by and between the City of Columbia, Tennessee hereinafter called "City", and Columbia Youth Athletic Association (CYAA), whose address is 1783 Monsanto Road Columbia, TN 38401, hereinafter called "Permittee".

WHEREAS, the City desires to provide facilities to its citizens, and non-commercial local societies, clubs and organizations engaged in civic, social, educational, cultural, recreational or philanthropic work or activities; and

WHEREAS, the Permittee is such an organization and, in the promotion and sponsorship of such activities, generates revenues from voluntary contributions, special events, membership dues, fees and charges, and fund-raising projects.

NOW, THEREFORE, it is mutually agreed by and between City and Permittee as follows:

1. PREMISES

City does hereby grant to Permittee a Non-Exclusive Use Permit for the use and occupancy of those certain premises described as, Eva Gilbert Park Football and Softball Field hereinafter called "Premises."

2. TERM

The term of this permit shall be a period beginning August 11, 2024 and terminating on August 10, 2025.

3. PURPOSE

The premises specified in this permit shall be used only for the purposes of developing, operating and maintaining a sports field complex in accordance with Permittee's league franchise(s) and for no other purpose other than provided herein.

3A. The CYAA will host the NFL National Youth Flag Football Program.

The NFL National Youth Flag Football Program is required to list the City of Columbia, TN as the additional Insurance Certificate Holder and meet the mandatory minimum Comprehensive General Liability Insurance amounts as indicated in section #17.

4. PUBLIC USE

The public shall not be excluded from these premises or any portion thereof. Permittee shall open premises to the public in accordance with the schedule approved by the Parks and Recreation Department Director or designated representative. Whenever the facility is not in use and it is reasonably practical, Permittee shall allow other organizations to utilize the premises for activities; provided said organizations have prior authorization by the Parks and Recreation Department Director or designated representative.

5. FEES

- A. The Permittee shall pay City a user fee of **\$200.00** per game day to help counterbalance the supply expenses associated with preparing the field.
- B. Additional fees will be charged for Homecoming or Tournament preps that may require thicker paint applications.
- C. Any additional monetary or other contributions from Permittee above the stated fees are appreciated.
- D. Permittee shall have the right to charge participants a reasonable fee designed to cover maintenance and program operation. Excessive fees or charges, which will have the effect of precluding low and moderate-income persons from using the site, shall not be permitted. All funds collected by the Permittee from the operation of the premises shall be used for development, maintenance and program operation on the premises.

6. BY-LAWS

Membership in Permittee's organization shall be open to anyone meeting the requirements of its rules and by-laws. Permittee will not discriminate against a member because of age, race, color, religion, physical handicap, ancestry, sex or national origin. All restrictions, rules, and by-laws, if any, and changes thereto proposed by Permittee's organization shall require prior written approval from the Parks and Recreation Department Director or designated representative. A current copy of by-laws shall be on file in the Parks and Recreation Department office.

7. MAINTENANCE

Maintenance of the Premises shall be as follows:

- A. Permittee shall, at its sole cost and expense, provide for all routine maintenance to include, but not to be limited to: litter pickup, restroom cleaning.
- B. In addition, Permittee shall provide records of all maintenance of improvements and structures installed by Permittee. Permittee shall keep the premises in a safe, clean, and sanitary condition acceptable to the Parks and Recreation Department Director, or designated representative.
- C. City shall provide all non-routine and major maintenance for all grounds and Facilities, other than improvements and structures installed by Permittee, to include but not to be limited to: the repair of water and sewer lines, roadways and parking lots, and drainage systems.
- D. City shall render the fields game ready before each game day to include: lining fields, applying drying agents, removing excess water. League coaches and administrators will have access to equipment and assist if needed, to reline fields for subsequent games.

8. IMPROVEMENTS/DEVELOPMENT

Permittee shall not make any improvements, changes or alterations or cause same to be made to the premises, without written authorization and approval from the Parks and Recreation Department Director or designated representative. All improvements shall be at no cost to City.

9. REMOVAL OF IMPROVEMENTS

City agrees that all fixtures and improvements installed by Permittee in accordance with the provisions herein provided, and not being a replacement or repair of or for any improvement or improvements now existing and belonging to City, shall be and remain the property of Permittee. Permittee shall have the right to remove at Permittee's own expense said fixtures and improvements prior to the automatic termination of this agreement or within fifteen (15) days after such earlier termination; provided that any damage to City's property or improvements shall be repaired and the premises left in as good order and condition as when Permittee took possession of the premises. In the event Permittee does not so remove said fixtures and improvements within the above specified time, City may remove, or sell, or destroy the same at the expense of Permittee, and Permittee shall pay to City the reasonable cost of any such removal, sale or destruction together with the reasonable cost of repair of damages to City's property or improvements resulting from such removal, sale or destruction. At the option of the City, any property, real or personal, not so removed by Permittee may be deemed abandoned.

10. OPERATION

All recreational programs, events, and activities sponsored by Permittee at said premises shall be at the sole cost and expense of Permittee and shall be approved by the Parks and Recreation Department Director, or designated representative, at least two weeks prior to the activity.

11. INDEMNITY

Permittee agrees to indemnify and save the City of Columbia and its agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to Permittee or any of Permittee's employees, representatives, agents, guests, licensees, patrons or of any other person whomsoever, and all expenses of investigating and defending against same:

- A. Arising from or alleged to have arisen from or connected with the use of or operations on the permit premises; or
- B. Caused or claimed to be caused by the independent acts of Permittee, Permittee's agents or employees, or the concurrent acts of the Permittee, the City or their agents or employees.

12. CONCESSIONS RIGHTS

Permittee shall have the right to operate a concession stand for sale of confections, soft drinks, gum and other food products which are prepared and served in accordance with City of Columbia regulations, during ball games or other City-approved League spectator events; PROVIDED, HOWEVER, that all profits there from shall be used by the Permittee for improvements, operation and maintenance of the premises.

13. ADVERTISING

Permittee shall not place or cause to be placed upon the premises any billboards, banners, posters, or any other media advertising products or services, without the approval of Columbia Parks & Recreation Department. Signs of any nature installed on said premises must be first authorized and approved by City. This provision does not include uniforms as provided by team sponsors.

14. POSSESSOR INTEREST AND TAXES

This permit may create a taxable possessor interest in Permittee; therefore, as further consideration for the execution of this permit, Permittee agrees to pay and discharge before delinquency, all taxes and assessments, which may be levied against said premises by reason of any interest of Permittee during, said term.

15. NON-EXCLUSIVE OCCUPANCY

It is specifically understood and agreed that Permittee's use hereunder shall be non-exclusive and shall not result in any proprietary rights. City reserves, and shall always have the right to enter said premises for the purpose of viewing and ascertaining the condition thereof, or to protect its interest in the premises or to inspect the operations.

16. COMPLIANCE WITH LAW

Permittee shall, at its sole cost and expense, comply with all the requirements of all Municipal, State and Federal authorities now in effect or which may be in effect which pertain to the permit premises or any operations of the Permittee conducted thereon.

17. INSURANCE

On or before the execution date of this Permit by the City, Permittee shall submit to City an insurance policy or Certificate of Insurance evidencing that Permittee has obtained from a generally recognized insurer, insurance in the following form and minimum amounts specified.

Comprehensive General Liability insurance of:

- A. \$1,000,000 Each Occurrence
- B. \$2,000,000 General Aggregate
- C. \$ 250,000 Property Damage

The Policy shall name the City of Columbia as additional insured. The Policy of Insurance shall contain the following clauses:

“It is agreed that the Policy shall not be cancelled nor the coverage reduced until thirty (30) days after the Parks and Recreation Department Director of the City of Columbia, shall have received written notice of such cancellation or reduction. The notice shall be deemed effective the date delivered to said Director, as evidenced by properly validated return receipt. The insured waives any right of subrogation against City of Columbia which might arise by reason of any payment under this Policy.”

The City reserves the right to re-evaluate the amount and type of insurance required during the term of this permit. Permittee shall provide the amount and type of insurance as required by the Parks and Recreation Department Director within thirty (30) days after Permittee shall have received written notice of such requirement.

18. EQUAL OPPORTUNITY

Permittee will not discriminate against any employee or applicant for employment because of age, race, color, religion, physical handicap, ancestry, sex or national origin. This provision shall include, but is not limited to, the following: Employment, upgrading, demotion, transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training including apprenticeship.

19. NON-DISCRIMINATION

Permittee, in the operations to be conducted pursuant to the provisions of this permit and otherwise in the use of the facility, will not discriminate or permit discrimination against any person or class of persons by reason or race, color, creed or national origin, sex, age, handicap, or marital status in any manner.

20. DRUG AND ALCOHOL POLICY

In accordance with City of Columbia Substance Abuse Policy (Change 1) dated November 1, 1993, neither Permittee nor its agents, employees, representatives, guests, etc., shall be in any way impaired on the permitted property because of being under the influence of alcohol or a drug, shall possess an open container of alcohol or consume alcohol or possess or be under the influence of an illegal drug, or shall sell, offer or provide alcohol or a drug to another person.

21. UTILITIES AND SERVICES

City shall provide all utilities and services required by Permittee at City's sole cost and expense.

22. AMENDMENT TO PERMIT

This Permit fully expresses all understanding of the parties to this Permit and no verbal understanding of the parties, their officers, employees or agents shall be valid unless made in the form of a written amendment to this Permit and duly approved and executed by Permittee and Parks and Recreation Department Director.

23. PARTIAL INVALIDITY

If any provision of this Permit or the application thereof to any person or circumstances shall to any extent, be held to be invalid or unenforceable, the remainder of this Permit, or the application of such provision to persons or circumstances other than those as to which it is held to be invalid or unenforceable, shall not be affected thereby, and each provision of this Permit shall be held severable and shall be valid and enforced to the fullest extent permitted by law

24. GOVERNING LAW

This Permit shall in every respect be binding upon the parties hereto and their respective successors and assigns. The laws of the State of Tennessee shall govern this Permit.

25. PROVISIONS REQUIRED BY LAW

Each and every provision of law and clause required by law to be inserted in this Permit shall be deemed to be inserted herein and the Permit shall be read and enforced as though it were included herein, and if for any reason any such provision is not inserted, or is not correctly stated, then upon application of either party the Permit shall forthwith be physically amended to make such insertion or correction.

26. NOTICE

Any notices and notices required or permitted to be given pursuant to this Permit may be personally served on the other party by the party giving such notice, or may be served by certified mail, return receipt requested, to the following address:

PERMITTEE

Columbia Youth Athletic Association
c/o Glen Tilghman, President
1783 Monsanto Road
Columbia TN 38401
Phone: (931) 626-9113

CITY

Columbia Parks and Recreation
c/o Mackel Reagan, Director
821 West 9th Street
Columbia TN 38401
Phone: (931) 388-8119

27. SPECIAL PROVISIONS

- a. Permittee agrees to abide, preserve and enforce all established park safety rules and regulations while on premises with participants and spectators
- b. Permittee shall not sublet, transfer, or assign the fields to any other organizations or groups outside of Permittee for any reason.
- c. All organizations and groups outside of Permittee must have written permission from the Parks & Recreation Director or Designee prior to use of fields.
- d. The City shall have the right to schedule and collect fees associated with other organizations or groups outside of Permittee using the fields.
- e. The Parks & Recreation Director or Designee will coordinate efforts with the Permittee to confirm field availability prior to approving other organizations usage of Premises during the term of this Permit.
- f. Permittee shall have the right to charge a fee to organizations outside of Permittee that request use of your supplies and equipment during the permit period.
- g. Permittee shall have the right to charge a fee for groups or individuals to provide clinics, teachings, or instructional classes for league participants. All funds collected by Permittee shall be used for premises development, maintenance, and program operation.
- h. Permittee shall have the right to charge an admission fee not to exceed five dollars (\$5.00) per person. Persons entering the park for general public usage shall not be charged this admission fee.
- i. The parties agree to attempt to execute any renewal of this agreement with such revisions as necessary within 30 days of the expiration date this agreement.

28. TERMINATION

- A. FOR CAUSE: The Parks and Recreation Department Director, by giving written notification specifying an effective date, not less than five (5) days after the date of written notification, may terminate this Permit on behalf of the City, in whole or part, for cause which shall include:
 - 1.) Failure for any reason of Permittee to fulfill its obligations under this Permit in a timely manner acceptable to the Parks and Recreation Department Director, including non-compliance with other City directives, Federal, State and local statutes, rules, laws, regulations or directives non-applicable or as may become applicable.
 - 2.) Any ineffective or improper use of the site by Permittee, its employees, agents, subcontractors, guests, or any person or group under Permittee's responsibility.
 - 3.) Any conduct on the site by Permittee, its employees, agents or subcontractors unacceptable to the Parks and Recreation Department Director.
- B. FOR CONVENIENCE: Either City or Permittee may seek termination of this Permit upon thirty (30) days written notice to the other party.

IN WITNESS WHEREOF, the City and the Permittee have caused this Permit to be executed, effective the date first above written, by their duly authorized agents.

PERMITTEE

CITY OF COLUMBIA

By _____
Glen Tilghman, President
Columbia Youth Athletic Association

By _____
Mackel Reagan, Director
Parks & Recreation

Date _____

Date _____

By _____
Charles (Chaz) M. Molder, Mayor

Date _____

By _____
Thad H. Jablonski, City Recorder

Date _____

Legal Form Approved:

C. Tim Tisher
City Attorney

Date _____

**Title VI Policy
City of Columbia, Tennessee**

It is the policy of the City of Columbia to ensure that no citizen shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/ DD/ YYYY)

06/28/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
SADLER & COMPANY, INC.
P.O. BOX 5866
COLUMBIA, SOUTH CAROLINA 29250-5866

CONTACT NAME: Sports Dept

PHONE (A/ C, No. Ext): 800-622-7370 | FAX (A/ C, No): 803-256-4017

E-MAIL ADDRESS: ayf@sadlersports.com

PRODUCER CUSTOMER ID#:

INSURED
AMERICAN YOUTH FOOTBALL, INC. AND
AMERICAN YOUTH CHEER AS MEMBERS OF
Columbia Youth Athletic Association
c/ o Glen Scott Tilghman
1783 Monsanto Road
Columbia, TN 38401

Application ID: 425778

COVERAGES

CERTIFICATE NUMBER

REVISION NUMBER

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/ DD/ YYYY)	POLICY EXP (MM/ DD/ YYYY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS MADE ☒ OCCUR ☐ _____ ☐ _____ GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PROJECT ☐ LOC	X		OVE-0001262-00	12:01AM ET 06/30/2024	12:01AM ET 06/30/2025	EACH OCCURRENCE \$2,000,000 DAMAGE TO PREMISES RENTED TO YOU (Ea occurrence) \$300,000 PREMISES MEDICAL PAYMENTS EXCLUDED PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$3,000,000 PRODUCTS- COMP/ OP AGG \$1,000,000 LEGAL LIAB TO PARTICIPANTS \$1,000,000
C	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ☒ NON- OWNED AUTOS			OVE-0001262-00	12:01AM ET 06/30/2024	12:01AM ET 06/30/2025	COMBINED SINGLE LIMIT (Ea Accident) \$1,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
A	☒ SEXUAL ABUSE / MOLESTATION			OVE-0001262-00	12:01AM ET 06/30/2024	12:01AM ET 06/30/2025	EACH OCCURRENCE \$1,000,000 AGGREGATE \$2,000,000
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS- MADE ☐ DEDUCTIBLE ☐ RETENTION			N/ A	N/ A	N/ A	EACH OCCURRENCE N/ A AGGREGATE N/ A
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER / MEMBER EXCLUDED? ☐ Y/ N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			N/ A			☐ WC STATUTORY LIMITS ☐ OTHER E.L. EACH ACCIDENT E.L. DISEASE - EA EOMLOYEE E.L. DISEASE - POLICY LIMIT
B	PARTICIPANT ACCIDENT			ZPX0000556385901	12:01AM ET 06/30/2024	12:01AM ET 06/30/2025	EXCESS MEDICAL \$100,000 DEATH + SPECIFIC LOSS \$10,000 DEDUCTIBLE \$0

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

RE: COVERED SPORTS NOTE: The maximum number of players cannot exceed 36 players per team. Tackle Football - 7u Division (1 teams), Tackle Football - 9u Division (1 teams), Tackle Football - 12u Division (1 teams), Cheer / Dance / Step / Majorette Squads / Inspiration - Class 1 (no charge) (3 teams), Cheer / Dance / Step / Majorette Squads / Inspiration - Class 2 (1 teams)

The certificate holder is added as an additional insured, but only with respect to the liability arising out of the operations of the insured above.

CERTIFICATE HOLDER

CANCELLATION

RELATIONSHIP:
Property Owner/ LessorCity of Columbia
700 N. Garden St.
Columbia, TN 38401

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE (company A)

AUTHORIZED REPRESENTATIVE (company B)

Coverage is only extended to U.S. events and activities

** NOTICE TO TEXAS INSURED: The insurer for the purchasing group may not be subject to all the insurance laws and regulations of the State of Texas.

ACORD 25 (2014/01)

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ATTACHED TO AND FORMING A PART OF POLICY NUMBER	ENDORSEMENT EFFECTIVE DATE (12:01 A.M. STANDARD TIME)	NAMED INSURED	AGENT NO.
OVE-0001262-00	06/28/2024	Columbia Youth Athletic Association	

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED OWNERS AND/ OR LESSORS OF PREMISES, SPONSORS OR CO- PROMOTERS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

The policy is amended to include as an additional Insured any person or organization of the types indicated by an "X" in any boxes shown below, but only with respect to liability arising out of your operations:

☒ Owners and/ or lessors of the premises leased, rented, or loaned to you, subject to the following additional exclusions:

1. This insurance applies only to an "occurrence" which takes place while you are a tenant in the premises;
2. This insurance does not apply to "bodily injury" or "property damage" resulting from structural alterations, new construction or demolition operations performed by or on behalf of the owner and/ or lessor of the premises;
3. This insurance does not apply to liability of the owners and/ or lessors for "bodily injury" or "property damage arising out of any design defect or structural maintenance of the premises or loss caused by a premises defect.

With respect to any additional insured included under this policy, this insurance does not apply to any negligence of such additional insured.

☒ Sponsors

☒ Co- Promoters

☒ Any individual person(s) or organization(s) listed below:

COACHES, OFFICIALS AND VOLUNTEERS

WHILE ACTING WITHIN THE SCOPE OF THEIR DUTIES FOR THE INSURED.

PH- GL- CW-0128 (04/22)

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Page 1 of 1

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CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

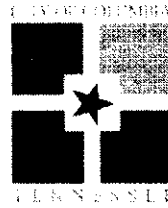
Jill Carlson, Sr. Administrative Assistant, jcarlson@columbiatn.com, 931-560-1451

AGENDA ITEM TITLE: APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE NON-EXCLUSIVE USE AND OCCUPANCY PERMIT BETWEEN THE CITY OF COLUMBIA AND THE COLUMBIA SOCCER ASSOCIATION - WARDS 1 AND 4

RECOMMENDATION: Approve.

INFORMATION: The Columbia Soccer Association is requesting the renewal of their annual Non-Exclusive Use and Occupancy Permit to utilize Cook Soccer Park and the Ridley Sports Complex soccer fields for the 2024 season. As in past years, in lieu of paying user fees, Columbia Soccer Association agrees to absorb expenditures to provide all turf management required to maintain the immediate playing surfaces at Cook Soccer Park; mowing, trimming, fertilization, weeding and marking fields for play. The Association will also assist with the litter pick up and janitorial upkeep as required for the restrooms and park areas near the fields. The City will maintain the park features up to the perimeter of each playing field.

ATTACHMENTS: Columbia Soccer Association Non-Exclusive Use and Occupancy Permit with insurance



Parks and Recreation Department

**NON-EXCLUSIVE
USE AND OCCUPANCY PERMIT
2024**

This permit is executed by and between the City of Columbia, hereinafter called "City", and Columbia Soccer Association, whose address is 220 Hams Creek Road, Pulaski, TN 38478, hereinafter called "Permittee".

WHEREAS, the City desires to provide facilities to its citizens, and non-commercial local societies, clubs and organizations engaged in civic, social, educational, cultural, recreational or philanthropic work or activities.

WHEREAS, the Permittee is such an organization and, in the promotion and sponsorship of such activities, generates revenues from voluntary contributions, special events, membership dues, fees and charges, and fund-raising projects.

NOW, THEREFORE, it is mutually agreed by and between the City and Permittee as follows:

1. PREMISES

City does hereby grant to Permittee a Non-Exclusive Use Permit for the use and occupancy of those certain premises described as, Cook Soccer Park and Ridley Park Sports Complex, hereinafter called "Premises."

2. TERM

The term of this permit shall begin on February 9, 2024 and shall terminate on February 10, 2025, unless sooner terminated as specified herein.

3. PURPOSE

The premises specified in this permit shall be used only for the purposes of developing, operating and maintaining a sports field complex in accordance with Permittee's league franchise(s) and for no other purpose other than provided herein.

4. PUBLIC USE

The general public shall not be excluded from these premises or any portion thereof. Permittee shall open premises to the public in accordance with the schedule approved by the Parks and Recreation Department Director or designated representative. Whenever the facility is not in use and it is reasonably practical, Permittee shall allow other organizations to utilize the premises for activities; provided said organizations have prior authorization by the Parks and Recreation Department Director or designated representative.

5. FEES

- A. Permittee shall pay the City a user fee of \$0.00 per use of the facilities.
- B. Any additional monetary or other contributions from the Permittee above the stated fees are appreciated.
- C. Permittee shall have the right to charge participants a reasonable fee designed to cover maintenance and program operation. Said fees will be subject to prior written approval of the Parks and Recreation Department Director or designated representative. Excessive fees or charges, which will have the effect of precluding low and moderate-income persons from using the site, shall not be permitted. All funds collected by the Permittee from the operation of the premises shall be used for the development, maintenance and program operation on the premises.

-1-

6. BY-LAWS

Membership in Permittee's organization shall be open to anyone meeting the requirements of its rules and by-laws. Permittee will not discriminate against a member because of age, race, color, religion, physical handicap, ancestry, sex or national origin. All restrictions, rules, and by-laws, if any, and changes thereto proposed by Permittee's organization shall require prior written approval from the Parks and Recreation Department Director or designated representative. A current copy of by-laws shall be on file in the Parks and Recreation Department office.

7. MAINTENANCE

Permittee shall assist in Premises maintenance by following means:

- A. Permittee shall, at its sole cost and expense, provide for all turf management and routine maintenance to the Cook soccer fields to include but not to be limited to: mowing, fertilizing, watering, weeding, marking/lining of fields; maintaining the park grounds/facilities to include litter pickup and restroom cleaning.
- B. In addition, Permittee shall provide all maintenance of improvements and structures installed by Permittee. The premises shall remain in a safe, clean, and sanitary condition acceptable to the Parks and Recreation Department Director, or designated representative.
- C. City shall provide routine, non-routine and major maintenance for all grounds and facilities, other than improvements and structures installed by Permittee and the soccer fields, to include but not to be limited to: repairs associated with the restroom/concession facilities, park equipment, water and sewer lines, roadways and parking lots, and drainage systems; and also, the regular mowing and grooming of the entire park up to the border of each playing field.

8. IMPROVEMENTS/DEVELOPMENT

Permittee shall not make any improvements, changes or alterations or cause same to be made to the premises, without written authorization and approval from the Parks and Recreation Department Director or designated representative. All improvements shall be at no cost to City.

9. REMOVAL OF IMPROVEMENTS

City agrees that all fixtures and improvements installed by Permittee in accordance with the provisions herein provided, and not being a replacement or repair of or for any improvement or improvements now existing and belonging to City, shall be and remain the property of Permittee. Permittee shall have the right to remove at Permittee's own expense said fixtures and improvements prior to the automatic termination of this agreement or within fifteen (15) days after such earlier termination; provided that any damage to City's property or improvements shall be repaired and the premises left in as good order and condition as when Permittee took possession of the premises.

In the event Permittee does not so remove said fixtures and improvements within the above specified time, the City may remove, or sell, or destroy the same at the expense of Permittee, and Permittee shall pay to City the reasonable cost of any such removal, sale or destruction together with the reasonable cost of repair of damages to City's property or improvements resulting from such removal, sale or destruction. At the option of the City, any property, real or personal, not so removed by Permittee may be deemed abandoned.

10. OPERATION

All recreational programs, events, and activities sponsored by Permittee at said premises shall be at the sole cost and expense of Permittee and shall be approved by the Parks and Recreation Department Director, or designated representative, at least two weeks prior to the activity.

11. INDEMNITY

Permittee agrees to indemnify and save the City of Columbia and its agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to Permittee or any of Permittee's employees, representatives, agents, guests, licensees, patrons or of any other person whomsoever, and all expenses of investigating and defending against same:

- A. Arising from or alleged to have arisen from or connected with the use of or operations on the permit premises;
- B. Caused or claimed to be caused by the independent acts of Permittee, Permittee's agents or employees, or the concurrent acts of the Permittee, the City or their agents or employees.

12. CONCESSIONS RIGHTS – COOK SOCCER PARK/Ridley Sports Complex

Permittee shall have the right to operate a concession stands at Cook Soccer Park and Ridley Sports A, F, and S Complex for sale of concessions, soft drinks, gum and other food products which are prepared and served in accordance with City of Columbia regulations, during soccer league events, PROVIDED, HOWEVER, that all profits there from shall be used by the Permittee for improvements, operation and maintenance of the premises.

13. ADVERTISING

Permittee shall not place or cause to be placed upon the premises any billboards, banners, posters, or any other media advertising products or services, without the approval of Columbia Parks & Recreation Department. Signs of any nature installed on said premises must be first authorized and approved by City. This provision does not include uniforms as provided by team sponsors.

14. POSSESSOR INTEREST AND TAXES

This permit may create a taxable possessor interest in Permittee; therefore, as further consideration for the execution of this permit, Permittee agrees to pay and discharge before delinquency, all taxes and assessments, which may be levied against said premises by reason of any interest of Permittee during, said term.

15. NON-EXCLUSIVE OCCUPANCY

It is specifically understood and agreed that Permittee's use hereunder shall be non-exclusive and shall not result in any proprietary rights. City reserves, and shall always have the right to enter said premises for the purpose of viewing and ascertaining the condition thereof, or to protect its interest in the premises or to inspect the operations.

16. COMPLIANCE WITH THE LAW

Permittee shall, at its sole cost and expense, comply with all the requirements of all Municipal, State and Federal authorities now in effect or which may be in effect which pertain to the permit premises or any operations of the Permittee conducted thereon.

17. INSURANCE

On or before the execution date of this Permit by the City, Permittee shall submit to City an insurance policy or Certificate of Insurance evidencing that Permittee has obtained from a generally recognized insurer, insurance in the following form and minimum amounts specified.

Comprehensive General Liability insurance of:

- A. \$2,000,000 Bodily Injury - per person
- B. \$2,000,000 Bodily Injury - Each Occurrence
- C. \$ 250,000 Property Damage

The Policy shall name the City of Columbia as additional insured. The Policy of Insurance shall contain the following clauses:

"It is agreed that the Policy shall not be cancelled nor the coverage reduced until thirty (30) days after the Parks and Recreation Department Director of the City of Columbia, shall have received written notice of such cancellation or reduction. The notice shall be deemed effective the date delivered to said Director, as evidenced by properly validated return receipt."

"The insured waives any right of subrogation against City of Columbia which might arise by reason of any payment under this Policy."

The City reserves the right to re-evaluate the amount and type of insurance required during the term of this permit. Permittee shall provide the amount and type of insurance as required by the Parks and Recreation Department Director within thirty (30) days after Permittee shall have received written notice of such requirement.

18. EQUAL OPPORTUNITY

Permittee will not discriminate against any employee or applicant for employment because of age, race, color, religion, physical handicap, ancestry, sex or national origin. This provision shall include, but is not limited to, the following: Employment, upgrading, demotion, transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training including apprenticeship.

19. NON-DISCRIMINATION

Permittee, in the operations to be conducted pursuant to the provisions of this permit and otherwise in the use of the facility, will not discriminate or permit discrimination against any person or class of persons by reason or race, color, creed or national origin, sex, age, handicap, or marital status in any manner.

20. DRUG AND ALCOHOL POLICY

In accordance with City of Columbia Substance Abuse Policy (Change 1) dated November 1, 1993, neither Permittee nor its employees, consultants agents or contractors while in any way using the permitted property, shall be in any way impaired because of being under the influence of alcohol or a drug, shall possess an open container of alcohol or consume alcohol or possess or be under the influence of an illegal drug, or shall sell, offer or provide alcohol or a drug to another person.

21. UTILITIES AND SERVICES

The City shall provide all utilities and services required.

22. AMENDMENT TO PERMIT

This Permit fully expresses all understanding of the parties to this Permit and no verbal understanding of the parties, their officers, employees or agents shall be valid unless made in the form of a written amendment to this Permit and duly approved and executed by Permittee and Parks and Recreation Department Director.

23. PARTIAL INVALIDITY

If any provision of this Permit or the application thereof to any person or circumstances shall to any extent, be invalid or unenforceable, the remainder of this Permit, or the application of such provision to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each provision of this Permit shall be valid and be enforced to the fullest extent permitted by law.

24. GOVERNING LAW

This Permit shall in every respect be binding upon the parties hereto and their respective successors and assigns. The laws of the State of Tennessee shall govern this Permit.

25. PROVISIONS REQUIRED BY LAW

Each and every provision of law and clause required by law to be inserted in this Permit shall be deemed to be inserted herein and the Permit shall be read and enforced as though it were included herein, and if for any reason any such provision is not inserted, or is not correctly stated, then upon application of either party the Permit shall forthwith be physically amended to make such insertion or correction.

26. NOTICE

Any notices required or permitted to be given pursuant to this Permit may be personally served on the other party by the party giving such notice, or may be served by certified mail, return receipt requested, to the following address:

PERMITTEE

Columbia Soccer Association
c/o, Rufus Woodard, President
220 Hams creek Road
Pulaski, TN 38478

Phone: (931) 703-0412

CITY

Columbia Parks & Recreation Department

c/o Mackel Reagan, Director
821 W. 9th Street
Columbia, TN. 38401
Phone: (931) 388-8119

27. SPECIAL PROVISIONS

In the event there is any conflict between the following special provisions and any other provisions of this permit, the special provisions shall govern. The special provisions are as follows:

- The permittee shall provide proof of insurance and a copy of previous year / season financial records to the Park and Recreation Department to be submitted with the agenda packet for council approval.
- The Permittee shall not commence practice sessions or games at premises until permit terms are approved by council and signed by all parties as required.
- Permittee shall not sublet, transfer, or assign the fields to any other organizations or groups outside of Permittee for any reason.
- All organizations and groups outside of the Permittee must have written permission from the Parks & Recreation Director or Designee prior to use of fields.
- The City shall have the right to schedule and collect fees associated with other organizations or groups outside of Permittee using the fields. All fees collected by the City shall be tracked and used for future development, maintenance, and/or program operation at Cook Soccer Park.
- City shall be responsible for all damages outside of normal wear and tear that occurs during usage by other organizations, specifically including damage to the irrigation system.
- The Parks & Recreation Director or Designee will coordinate efforts with the Permittee to confirm field availability prior to approving other organizations usage of Cook Soccer Park during the term of this agreement.
- Permittee shall have the right to charge a fee to organizations outside of Permittee that request use of their supplies and equipment during the permit period.
- Permittee shall have the right to charge a fee for groups or individuals to provide clinics, teachings, or instructional classes for league participants. All funds collected by Permittee shall be used for premises development, maintenance, and program operation.
- Columbia Soccer Association shall have the right to charge an admission fee not to exceed Five Dollars (\$5.00) per person; however, persons refusing to pay the admission fee shall be permitted to enter the park. Persons entering the park for general public usage shall not be charged this admission fee.
- The parties agree to attempt to execute any renewal of this agreement with such revisions as necessary within 30 days of the expiration date on this agreement.

28. TERMINATION

- A. **FOR CAUSE:** The Parks and Recreation Department Director, by giving written notification specifying an effective date, not less than five (5) days after the date of written notification, may terminate this Permit on behalf of the City, in whole or part, for cause which shall include:
- 1.) Failure for any reason of Permittee to fulfill its obligations under this Permit in a timely manner acceptable to the Parks and Recreation Department Director, including non-compliance with other City directives, Federal, State and local statutes, rules, laws, regulations or directives non-applicable or as may become applicable.
 - 2.) Any ineffective or improper use of the site by Permittee, its employees, agents, subcontractors, guests, or any person or group under Permittee's responsibility.
 - 3.) Any conduct on the site by Permittee, its employees, agents or subcontractors unacceptable to the Parks and Recreation Department Director.
- B. **FOR CONVENIENCE:** Either City or Permittee may seek termination of this Permit upon thirty (30) days written notice to the other party.

IN WITNESS WHEREOF, the City and the Permittee have caused this Permit to be executed, effective the date first above written, by their duly authorized agents.

PERMITTEE

By Rufus Woodard
Rufus Woodard, President
Columbia Soccer Association
Date 7/16/2024

CITY OF COLUMBIA

By _____
Mackel Reagan, Director
Parks & Recreation

Date _____

By _____
Charles (Chaz) M. Molder,
Mayor

Date _____

By _____

City Recorder
Date _____

Legal Form Approved:

Jablonski,

C. Tim Tisher,
City Attorney
Date: _____

Thad H.

Title VI Policy

City of Columbia, Tennessee

It is the policy of the City of Columbia to ensure that no citizen shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

The City of Columbia does not allow unfair treatment because of race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, sexual orientation, gender identity or expression, genetic information or any other characteristic protected by law.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/28/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER LIC #40558248 Player's Health Cover USA Inc. 718 Washington Ave North #402 Minneapolis MN 55401	CONTACT NAME: PHONE (A/C, No, Ext): 612-345-9683 E-MAIL ADDRESS: certificates@playershealth.com FAX (A/C, No): INSURER(S) AFFORDING COVERAGE INSURER A: Everest National Insurance Company INSURER B: Great American Insurance Company INSURER C: INSURER D: INSURER E: INSURER F:	NAIC # 10120 16691
INSURED Tennessee State Soccer Association 237 Castlewood Drive, Suite H Murfreesboro TN 37129		

COVERAGES**CERTIFICATE NUMBER:** 45296**REVISION NUMBER:** 144

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC ☒ OTHER: PER EVENT	Y		SI8ML03061-231	8/1/2023	8/1/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ EXCLUDED PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 PARTICIPANT LEGAL LIAB \$ 1,000,000
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY			SI8ML03061-231	8/1/2023	8/1/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE ☒ DED ☐ RETENTION \$ 0			SI8EX01699-231	8/1/2023	8/1/2024	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐ N/A	N/A				PER STATUTE E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	Accident Medical			E426831-02	8/1/2023	8/1/2024	PER INJURY LIMIT \$ 100,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Operations of the Tennessee State Soccer Assn, its teams, leagues & clubs. Coverage applies only to official, sanctioned and approved activities of TSSA. Certificate holder has automatic additional insured status when required direct written contract. This certificate is issued on behalf of: Columbia Soccer Association

CERTIFICATE HOLDER**CANCELLATION**

City of Columbia 700 North Garden Street Columbia TN 38401	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Jill Carlson, Sr. Administrative Assistant, jcarlson@columbiatn.com, 931-560-1451

AGENDA ITEM TITLE: APPROVE THE PURCHASE OF A 3500 DODGE CREW CC 4X4 – DUMP TRUCK FROM CHRYSLER DODGE JEEP RAM FIAT OF COLUMBIA IN THE AMOUNT OF \$82,555.73.

RECOMMENDATION: Approve.

INFORMATION: The City of Columbia Parks & Recreation Department wants to purchase a 3500 Dodge Crew cc 4x4 – Dump Truck for \$82,555.43 for the use in the maintenance division of the Parks Department for transporting landscaping materials. With the degree of maneuverability, it will enhance the working capability of the department for operating around the parks with downed trees, spreading dumping materials for trails/driveways, hauling heavy equipment and any demoed debris that can be easily dumped with the push of a button hydraulic lift bed. This will be purchased through the SWC-209 program.

CERTIFICATION: The Chief Financial Officer certifies that \$82,556 is budgeted and unencumbered in Capital Projects-Recreation-Maintenance - Transportation Equipment.

ATTACHMENTS: Staff report for the 3500 Dodge Crew CC 4x4 – Dump Truck, Chrysler Dodge Jeep RAM Fiat of Columbia proposal/quote, State of TN contract SWC-209

Chrysler Dodge Jeep RAM Fiat of Columbia
106 S. James Campbell Boulevard
Columbia, TN 38401



QUOTE
RAMQ5512-02
Jul 11, 2024

Tennessee State Wide Contract # 209

Quoted To:

Colton Warfield
City of Columbia
707 North Main St
Columbia, TN 38401

Prepared By:

Russell Alan Moles
Director of Fleet & Commercial Operations

Phone: 931-540-5203
Fax:

Phone: 865-285-0348
Email: rmoles@cdjrcolumbia.com

PO Number:	Valid Through:	Aug 11, 2024	Payment Terms:	NET 15
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3500 CREW CAB CHASSIS 4X4 - TRADESMAN - 60"CA - STD. OEM DIESEL	\$61,222.00
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BASE VEHICLE & STANDARD EQUIPMENT	\$61,222.00	1	\$61,222.00
2YA CUSTOMER PREFERRED PACKAGE 2YA		1	
LCH REAR DOME LAMP			
M17 BLACK EXTERIOR BADGING - TRUCKS			
CUN OVERHEAD CONSOLE			
MM5 GRILLE-SURROUND MATTE BLACK			
CLP DOOR SILL SCUFF PADS			
LBA MAP/COURTESY LAMP			
LME HALOGEN QUAD HEADLAMPS			
JKH GLOVE BOX			
CEU KEY FOB - BLACK			
LBT OVERHEAD CUPHOLDER LAMP			

FACTORY INSTALLED OPTIONS & CHARGES	\$5,150.00
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DF2 6-SPD AUTO AISIN AS69RC HD TRANS		1	
ETN 6.7L I6 CUMMINS TURBO DIESEL ENGINE		1	
PW7 BRIGHT WHITE CLEAR COAT		1	
HD VINYL 40/20/40 SPLIT BENCH SEAT		1	
CFM REAR FOLDING SEAT		1	
CBE 40/20/40 SPLIT BENCH SEAT		1	
RS3 REMOTE USB PORT - CHARGE ONLY			
CUY STORAGE TRAY			

	Unit Price	Qty	Ext. Price
GXM REMOTE KEYLESS ENTRY	\$0.00	1	\$0.00
DK3 ELEC SHIFT-ON-THE-FLY TRANSFER CASE	\$0.00	1	\$0.00
ADH ELECTRICAL ACCESSORY GROUP	\$0.00	1	\$0.00
XF6 VOLTAGE MONITORING AUTO IDLE UP SYS			
JJ1 TRAILER LIGHT CHECK			
XHC TRAILER BRAKE CONTROL			
XEA TOW HOOKS	\$0.00	1	\$0.00
AMP CHROME APPEARANCE GROUP	\$1,820.00	1	\$1,820.00
MAF GRILLE-MATTE BLACK MESH W/CHROME			
MCT BRIGHT FRONT BUMPER			
MFP CHROME HEADLAMP BEZELS			
MNQ GRILLE-SURROUND CHROME			
WMG BRIGHT WHEEL SKINS			
WMJ CENTER HUB			
WD4 17X6.0 STEEL CHROME CLAD WHEELS			
JKV 115V AUXILIARY POWER OUTLET	\$195.00	1	\$195.00
XHR 400W INVERTER			
WLA DUAL REAR WHEELS	\$1,395.00	1	\$1,395.00
DJM 6 000# FRONT AXLE W/HUB EXT			
TV2 LT235/80R17E BSW ALL SEASON TIRES			
WMG BRIGHT WHEEL SKINS			
WMJ CENTER HUB			
WFU 17X6.0 STEEL ARGENT WHEELS			
LNJ FRONT FOG LAMPS	\$195.00	1	\$195.00
TV3 LT235/80R17E OWL ON/OFF RD TIRES	\$250.00	1	\$250.00
UBD UCONNECT 5 W 8.4" DISPLAY (USA)	\$0.00	1	\$0.00
JFJ TEMPERATURE & COMPASS GAUGE			
JLP GPS ANTENNA INPUT			
R05 ALL R1 LOW RADIOS			
RAA ALL RADIO EQUIPPED VEHICLES			
RDG GLOBAL TELEMATICS BOX MODULE (TBM)			
RF5 GOOGLE ANDROID AUTO			
RFL 8.4" TOUCHSCREEN DISPLAY			
RFP APPLE CARPLAY			
RSD SIRIUSXM SATELLITE RADIO			
RTE BLUETOOTH HANDSFREE PHONE AND AUDIO			
RTF INTEGRATED CENTER STACK RADIO			
RTM RAM CONNECT (CONNECTED SERVICES)			
RTQ 4G LTE WI-FI HOT SPOT			
X9B SIRIUSXM RADIO SERVICE			
X9E FOR DETAILS VISIT DRIVEUCONNECT.COM			
X9H FOR MORE INFO CALL 800-643-2112			
XRB INTEGRATED VOICE COMMAND			

	Unit Price	Qty	Ext. Price
AHQ MAX TOW PACKAGE	\$1,295.00	1	\$1,295.00
DM8 ADD 4.10 AXLE RATIO			
DRC 12.0" DUAL WHEEL REAR AXLE			
AHD HEAVY DUTY SNOW PLOW PREP GROUP	\$0.00	1	\$0.00
XEF TRANSFER CASE SKID PLATE SHIELD			

AFTERMARKET EQUIPMENT & CHARGES

\$16,175.00

CRYSTEEL 9' 2/3 YD E-TIPPER DUMP BODY. 9' L X 87" W (ID) - 96" W (OD). ALL STEEL. 40" H, 10 GA BULKHEAD W/9 X 35 TAPERED WINDOW AND 1/4 TAPERED CAB SHIELD. 12" H, 12 GA FOLD-DOWN SIDES. 18" H, 10 GA QUICK DROP REAR GATE. 7 GA STEEL FLOOR W/WESTERN TUBULAR STEEL UNDERSTRUCTURE. MODEL LB510, ELECTRIC DOUBLE ACTING HOIST. SINGLE CYLINDER, CLASS 30/C, 13 TON CAPACITY. ALL NECESSARY MARKER LIGHTS & REFLECTORS. FIVE (5) YEAR LIMITED WARRANTY - BODY/HOIST. PAINTED BLACK. BODY UP INDICATOR LIGHT. CRYSTEEL MANUAL MESH TARP. BUYERS #1809077, HITCH PLATE W/2 1'2" RECEIVER & (2) 5/8" FORGED D-RINGS. 20,000# MGTW. LABEL HITCH W/20K TOWING CAPACITY PLACARD. HOPPY #40959, 7/4 WAY TRAILER RECEPTACLE. 2 1/2" TO 2" RECEIVER TUBE ADAPTOR. (DOES NOT CHANGE TOWING CAPACITY) HITCH PIN FOR 2 1/2" RECEIVER (2) BUYERS #1702303, 30" STEEL UNDERBODY BOX. 18" H X 18" D X 30" L. 14 GA W/12 GA STEEL DROP DOWN DOOR W/SS T-HANDLE LATCH. POWDER COAT BLACK. INSTALLED - (1) C/S & (1) R/S. (THIS SET UP CANNOT BE INSTALLED ON GM3500 OR FORD DIESEL W/DUAL TANKS.) ONE (1) PAIR MUDFLAPS - HOIST APPLICATION. GENERATE CERTIFICATION/ALTERATION LABEL AND/OR COMPLETE THE MSO WHEN APPLICABLE. GENERATE A WEIGHT SLIP FOR COMPLETED UNIT. ALL REQUIRED DOCUMENTATION FOR THE FINISHED UNIT	\$16,175.00	1	\$16,175.00
DESCRIPTION SN BODY 41223553 HOIST 2284687 PS BOX 1451244 DS BOX 1451287 BOX KEYS #CH545	\$0.00	1	\$0.00

DEALER INSTALLED OPTIONS & CHARGES	\$8.25
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PACK - FIXED COST & OVERHEAD	\$0.00	1	\$0.00
60 DAY TN TEMP TAG	\$8.25	1	\$8.25

Totals									
	<table><tr><td>Subtotal</td><td>\$82,555.25</td></tr><tr><td>Tax</td><td>\$0.00</td></tr><tr><td>Shipping</td><td>\$0.00</td></tr><tr><td>Grand Total</td><td>\$82,555.25</td></tr></table>	Subtotal	\$82,555.25	Tax	\$0.00	Shipping	\$0.00	Grand Total	\$82,555.25
Subtotal	\$82,555.25								
Tax	\$0.00								
Shipping	\$0.00								
Grand Total	\$82,555.25								

Units Quoted from Ground Stock or In-Bound Inventory Are Subject to Prior Sale
Pricing Good For Current Date & Model Year Only Subsequent Model & Option Pricing May Vary
Vehicles Subject to Production by Stellantis (formerly Fiat-Chrysler Automobiles)
Production Lead Times Vary by Model & Options are controlled by FCA Group
Standard Color is White Unless Noted Otherwise

Note: If "no", attach exemption request addressed to the Central Procurement Officer.

Contract Contact Information:

State of Tennessee
Department of General Services, Central Procurement Office
Contract Administrator: Michael Neely
3rd Floor, William R Snodgrass, Tennessee Tower
312 Rosa L. Parks Avenue
Nashville, TN 37243-1102
Phone: 615-741-5671
Fax: 615-741-0684

Line Information

Line 1

Item ID: 1000187716
Police Vehicles, CDJR, Generic SWC209 Asset
Unit of Measure: EA

Line 2

Item ID: 1000187718
Minivan and Full-size Vans, CDJR(Passenger, Cargo, Cut-Away), Generic SWC209 Asset
Unit of Measure: EA

Line 3

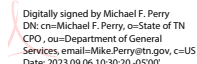
Item ID: 1000187719
Sport Utility Vehicles, CDJR(SUVs), Generic SWC209 Asset
Unit of Measure: EA

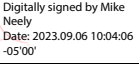
Line 4

Item ID: 1000187720
Light Trucks, CDJR(Class 1,2,3,4,5) Pickup or Chassis Cab, Generic SWC209 Asset
Unit of Measure: EA

Line 5

Item ID: 1000179941
Optional Equipment, Generic SWC209 Asset
Unit of Measure: EA

APPROVED:  
CHIEF PROCUREMENT OFFICER

BY:  
PURCHASING AGENT

DATE

State of Tennessee (State)

CDJR- 2024 Model Year Fleet (1 Year Fixed) Pricing

Dealer Name: TT Columbia			Required Entry for MSRP	Required Entry
Model	Model Number	Description	MSRP	State Government Fleet Price (1 Year Fixed Pricing)
EXAMPLE ONLY:			\$31,000.00	\$25,750.00
POLICE PURSUIT SUV				
	WDEE75	DURANGO PPV - AWD - 3.6L V6	\$ 45,900.00	\$40,814.00
	WDEE75	DURANGO PPV - AWD - 3.6L V6 (ADMIN)	\$ 45,580.00	\$40,146.00
	WDEE75	DURANGO PPV - AWD - 5.7L V8 HEMI	\$ 49,015.00	\$43,517.00
	WDEE75	DURANGO PPV - AWD - 5.7L V8 HEMI (ADMIN)	\$ 48,695.00	\$42,948.00
SPECIAL SERVICE VEHICLE				
	DJ7L91	RAM 2500 CREW 4X4 SSV - SWB - GAS	\$ 56,065.00	\$44,246.00
	DJ7L91	RAM 2500 CREW 4X4 SSV - SWB - DIESEL	\$ 65,860.00	\$52,972.00
	DJ7L92	RAM 2500 CREW 4X4 SSV - LWB - GAS	\$ 56,265.00	\$44,424.00
	DJ7L92	RAM 2500 CREW 4X4 SSV - LWB - DIESEL	\$ 66,060.00	\$53,150.00
	D28L91	RAM 3500 CREW 4X4 SSV - SWB - GAS	\$ 57,555.00	\$45,607.00
	D28L91	RAM 3500 CREW 4X4 SSV - SWB - DIESEL	\$ 67,350.00	\$54,335.00
	D28L92	RAM 3500 CREW 4X4 SSV - LWB - GAS	\$ 57,755.00	\$45,784.00
	DS6T98	1500 CREW 4X4 SSV - V8	\$ 53,490.00	\$40,600.00
	D28L92	RAM 3500 CREW 4X4 SSV - LWB - DIESEL	\$ 67,550.00	\$54,514.00
CHRYSLER PACIFICA				
	RUCH53	PACIFICA TOURING L	\$ 43,280.00	\$41,690.00
	RUFH53	PACIFICA TOURING L AWD	\$ 46,275.00	\$44,435.00
	RUCT53	PACIFICA LIMITED	\$ 50,550.00	\$48,379.00
	RUFT53	PACIFICA LIMITED AWD	\$ 53,545.00	\$50,990.00
	RUET53	PACIFICA SELECT HYBRID	\$ 54,090.00	\$53,443.00
	RUES53	PACIFICA PINNACLE HYBRID	\$ 62,820.00	\$61,061.00
JEEP WRANGLER				
	JLJL72	WRANGLER SPORT 2-DOOR	\$ 37,385.00	\$35,984.00
	JLJS72	WRANGLER RUBICON 2-DOOR	\$ 51,690.00	\$48,736.00
	JLJL74	WRANGLER SPORT 4-DOOR	\$ 41,385.00	\$39,737.00
	JLJP74	WRANGLER SAHARA 4-DOOR	\$ 50,815.00	\$48,323.00
	JLXL74	WRANGLER SPORT 4XE (ELECTRIC)	\$ 52,985.00	\$51,895.00
ALL NEW RAM 1500 QUAD 4X2				
	DTIH41	ALL NEW 1500 QUAD 4X2 BIG HORN - V6	\$ 45,625.00	\$39,688.00
	DTIH41	ALL NEW 1500 QUAD 4X2 BIG HORN - V8	\$ 48,670.00	\$42,385.00
ALL NEW RAM 1500 QUAD 4X4				
	DT6H41	ALL NEW 1500 QUAD 4X4 BIG HORN - V6	\$ 52,110.00	\$45,431.00

	DT6H41	ALL NEW 1500 QUAD 4X4 BIG HORN - V8	\$ 55,155.00	\$48,240.00
ALL NEW RAM 1500 CREW 4X2				
	DT1H98	ALL NEW 1500 CREW 4X2 BIG HORN - SWB - V6	\$ 48,375.00	\$42,125.00
	DT1H98	ALL NEW 1500 CREW 4X2 BIG HORN - SWB - V8	\$ 51,420.00	\$44,851.00
	DT1H91	ALL NEW 1500 CREW 4X2 BIG HORN - LWB - V8	\$ 51,670.00	\$45,128.00
	DT1P98	ALL NEW 1500 CREW 4X2 LARAMIE - SWB - V6	\$ 55,625.00	\$47,805.00
	DT1P98	ALL NEW 1500 CREW 4X2 LARAMIE - SWB - V8	\$ 58,670.00	\$50,485.00
	DT1P91	ALL NEW 1500 CREW 4X2 LARAMIE - LWB - V8	\$ 58,920.00	\$50,753.00
ALL NEW RAM 1500 CREW 4X4				
	DT6H98	ALL NEW 1500 CREW 4X4 BIG HORN - SWB - V6	\$ 54,860.00	\$48,022.00
	DT6H98	ALL NEW 1500 CREW 4X4 BIG HORN - SWB - V8	\$ 57,905.00	\$50,731.00
	DT6H91	ALL NEW 1500 CREW 4X4 BIG HORN - LWB - V8	\$ 58,155.00	\$51,000.00
	DT6P98	ALL NEW 1500 CREW 4X4 LARAMIE - SWB - V6	\$ 59,920.00	\$51,655.00
	DT6P98	ALL NEW 1500 CREW 4X4 LARAMIE - SWB - V8	\$ 62,965.00	\$54,330.00
	DT6P91	ALL NEW 1500 CREW 4X4 LARAMIE - LWB - V8	\$ 63,215.00	\$54,580.00
RAM 2500 REG 4X2				
	DJ2L62	2500 REG 4X2 TRADESMAN - STD. OEM GAS	\$ 50,365.00	\$39,246.00
	DJ2L62	2500 REG 4X2 TRADESMAN - STD. OEM DIESEL	\$ 60,160.00	\$47,965.00
	DJ2H62	2500 REG 4X2 BIG HORN - STD. OEM GAS	\$ 53,140.00	\$41,767.00
	DJ2H62	2500 REG 4X2 BIG HORN - STD. OEM DIESEL	\$ 62,810.00	\$50,403.00
RAM 2500 REG 4X4				
	DJ7L62	2500 REG 4X4 TRADESMAN - STD. OEM GAS	\$ 51,560.00	\$40,331.00
	DJ7L62	2500 REG 4X4 TRADESMAN - STD. OEM DIESEL	\$ 61,355.00	\$49,066.00
	DJ7H62	2500 REG 4X4 BIG HORN - STD. OEM GAS	\$ 56,090.00	\$44,448.00
	DJ7H62	2500 REG 4X4 BIG HORN - STD. OEM DIESEL	\$ 65,885.00	\$53,162.00
RAM 2500 CREW 4X2				
	DJ2L91	2500 CREW 4X2 TRADESMAN - SWB - STD. OEM GAS	\$ 52,300.00	\$41,001.00
	DJ2L91	2500 CREW 4X2 TRADESMAN - SWB - STD. OEM DIESEL	\$ 62,095.00	\$49,735.00
	DJ2L92	2500 CREW 4X2 TRADESMAN - LWB - STD. OEM GAS	\$ 52,500.00	\$41,197.00
	DJ2L92	2500 CREW 4X2 TRADESMAN - LWB - STD. OEM DIESEL	\$ 62,295.00	\$49,920.00
	DJ2H91	2500 CREW 4X2 BIG HORN - SWB - STD. OEM GAS	\$ 57,545.00	\$45,751.00
	DJ2H91	2500 CREW 4X2 BIG HORN - SWB - STD. OEM DIESEL	\$ 67,340.00	\$54,486.00
	DJ2H92	2500 CREW 4X2 BIG HORN - LWB - STD. OEM GAS	\$ 57,745.00	\$45,945.00
	DJ2H92	2500 CREW 4X2 BIG HORN - LWB - STD. OEM DIESEL	\$ 67,540.00	\$54,679.00
RAM 2500 CREW 4X4				
	DJ7L91	2500 CREW 4X4 TRADESMAN - SWB - STD. OEM GAS	\$ 55,375.00	\$43,781.00
	DJ7L91	2500 CREW 4X4 TRADESMAN - SWB - STD. OEM DIESEL	\$ 65,120.00	\$52,476.00
	DJ7L92	2500 CREW 4X4 TRADESMAN - LWB - STD. OEM GAS	\$ 55,575.00	\$43,986.00
	DJ7L92	2500 CREW 4X4 TRADESMAN - LWB - STD. OEM DIESEL	\$ 65,320.00	\$52,641.00
	DJ7H91	2500 CREW 4X4 BIG HORN - SWB - STD. OEM GAS	\$ 60,620.00	\$48,536.00
	DJ7H91	2500 CREW 4X4 BIG HORN - SWB - STD. OEM DIESEL	\$ 70,365.00	\$57,226.00
	DJ7H92	2500 CREW 4X4 BIG HORN - LWB - STD. OEM GAS	\$ 60,820.00	\$48,717.00
	DJ7H92	2500 CREW 4X4 BIG HORN - LWB - STD. OEM DIESEL	\$ 70,565.00	\$57,387.00
RAM 2500 MEGA 4X4				
	DJ7P81	2500 MEGA 4X4 LARAMIE - STD. OEM GAS	\$ 74,340.00	\$60,893.00

	DJ7P81	2500 MEGA 4X4 LARAMIE - STD. OEM DIESEL	\$ 84,085.00	\$69,583.00
	DJ7R81	2500 MEGA 4X4 LONGHORN - STD. OEM GAS	\$ 82,340.00	\$68,114.00
	DJ7R81	2500 MEGA 4X4 LONGHORN - STD. OEM DIESEL	\$ 92,135.00	\$76,856.00
RAM 3500 REG 4X2				
	D23L62	3500 REG 4X2 TRADESMAN - STD. OEM GAS	\$ 51,975.00	\$40,698.00
	D23L62	3500 REG 4X2 TRADESMAN - STD. OEM DIESEL	\$ 61,770.00	\$49,427.00
	D23H62	3500 REG 4X2 BIG HORN - STD. OEM GAS	\$ 54,625.00	\$43,124.00
	D23H62	3500 REG 4X2 BIG HORN - STD. OEM DIESEL	\$ 64,420.00	\$51,837.00
RAM 3500 REG 4X4				
	D28L62	3500 REG 4X4 TRADESMAN - STD. OEM GAS	\$ 54,945.00	\$43,379.00
	D28L62	3500 REG 4X4 TRADESMAN - STD. OEM DIESEL	\$ 64,740.00	\$52,108.00
	D28H62	3500 REG 4X4 BIG HORN - STD. OEM GAS	\$ 57,595.00	\$45,820.00
	D28H62	3500 REG 4X4 BIG HORN - STD. OEM DIESEL	\$ 67,390.00	\$54,525.00
RAM 3500 CREW 4X2				
	D23L91	3500 CREW 4X2 TRADESMAN - SWB - STD. OEM GAS	\$ 53,830.00	\$42,400.00
	D23L91	3500 CREW 4X2 TRADESMAN - SWB - STD. OEM DIESEL	\$ 63,625.00	\$51,133.00
	D23L92	3500 CREW 4X2 TRADESMAN - LWB - STD. OEM GAS	\$ 54,030.00	\$42,583.00
	D23L92	3500 CREW 4X2 TRADESMAN - LWB - STD. OEM DIESEL	\$ 63,825.00	\$51,320.00
	D23H91	3500 CREW 4X2 BIG HORN - SWB - STD. OEM GAS	\$ 59,075.00	\$47,138.00
	D23H91	3500 CREW 4X2 BIG HORN - SWB - STD. OEM DIESEL	\$ 68,870.00	\$55,874.00
	D23H92	3500 CREW 4X2 BIG HORN - LWB - STD. OEM GAS	\$ 59,275.00	\$47,338.00
	D23H92	3500 CREW 4X2 BIG HORN - LWB - STD. OEM DIESEL	\$ 69,070.00	\$56,071.00
RAM 3500 CREW 4X4				
	D28L91	3500 CREW 4X4 TRADESMAN - SWB - STD. OEM GAS	\$ 56,905.00	\$45,170.00
	D28L91	3500 CREW 4X4 TRADESMAN - SWB - STD. OEM DIESEL	\$ 66,700.00	\$53,910.00
	D28L92	3500 CREW 4X4 TRADESMAN - LWB - STD. OEM GAS	\$ 57,105.00	\$45,371.00
	D28L92	3500 CREW 4X4 TRADESMAN - LWB - STD. OEM DIESEL	\$ 66,900.00	\$54,105.00
	D28H91	3500 CREW 4X4 BIG HORN - SWB - STD. OEM GAS	\$ 62,145.00	\$49,913.00
	D28H91	3500 CREW 4X4 BIG HORN - SWB - STD. OEM DIESEL	\$ 71,940.00	\$58,645.00
	D28H92	3500 CREW 4X4 BIG HORN - LWB - STD. OEM GAS	\$ 62,350.00	\$50,115.00
	D28H92	3500 CREW 4X4 BIG HORN - LWB - STD. OEM DIESEL	\$ 72,145.00	\$58,826.00
RAM 3500 MEGA 4X4				
	D28P81	3500 MEGA 4X4 LARAMIE - STD. OEM GAS	\$ 75,870.00	\$62,280.00
	D28P81	3500 MEGA 4X4 LARAMIE - STD. OEM DIESEL	\$ 85,665.00	\$71,013.00
	D28R81	3500 MEGA 4X4 LONGHORN - STD. OEM GAS	\$ 83,865.00	\$69,496.00
	D28R81	3500 MEGA 4X4 LONGHORN - STD. OEM DIESEL	\$ 93,660.00	\$78,251.00
JEEP GRAND CHEROKEE				
	WLTH74	GRAND CHEROKEE (2-ROW) LAREDO 4X2	\$42,325.00	\$39,276.00
	WLJH74	GRAND CHEROKEE (2-ROW) LAREDO 4X4	\$44,325.00	\$41,199.00
	WLTH75	GRAND CHEROKEE L (3-ROW) LAREDO 4X2	\$43,330.00	\$40,269.00
	WLJH75	GRAND CHEROKEE L (3-ROW) LAREDO 4X4	\$46,325.00	\$43,045.00

JEEP COMPASS				
	MPJM74	COMPASS LATITUDE 4X4	\$ 36,615.00	\$ 33,554.00
CLASSIC RAM 1500 QUAD CAB 4X4				
	DS6L41	1500 QUAD 4X4 TRADESMAN- V6	\$ 46,175.00	\$ 37,386.00
	DS6H41	1500 QUAD 4X4 SLT - V6	\$ 50,615.00	\$ 40,814.00
CLASSIC RAM 1500 CREW CAB 4X4				
	DS6L98	1500 CREW 4X4 TRADESMAN - SWB - V6	\$ 48,925.00	\$ 39,881.00
	DS6L91	1500 CREW 4X4 TRADESMAN - LWB - V8	\$ 49,225.00	\$ 40,132.00
RAM 3500 REG CAB CHASSIS				
	DD8L64	3500 REG CAB CHASSIS 4X4 - TRADESMAN - 84" CA - STD. OEM DIESEL	\$ 66,260.00	\$ 60,433.00
RAM 3500 CREW CAB CHASSIS				
	DD8L93	3500 CREW CAB CHASSIS 4X4 - TRADESMAN - 60"CA - STD. OEM DIESEL	\$ 67,105.00	\$ 61,222.00
RAM 4500 CREW CAB CHASSIS 4X4				
	DP9L93	4500 CREW CAB CHASSIS 4X4 - TRADESMAN - 60"CA - STD. OEM DIESEL	\$ 72,995.00	\$ 66,570.00
	DP9L94	4500 CREW CAB CHASSIS 4X4 - TRADESMAN - 84"CA - STD. OEM DIESEL	\$ 73,195.00	\$ 66,680.00
RAM 5500 REG CAB CHASSIS 4X4				
	DP0L64	5500 REG CAB CHASSIS 4X4 - TRADESMAN - 84" CA - STD. OEM DIESEL	\$ 72,050.00	\$ 65,732.00
RAM PROMASTER CARGO VAN				
	VF1L11	PROMASTER CARGO VAN - 1500 LOW ROOF SWB	\$ 45,955.00	\$ 44,199.00
	VF1L12	PROMASTER CARGO VAN - 1500 LOW ROOF LWB	\$ 49,090.00	\$ 47,035.00
	VF1L13	PROMASTER CARGO VAN - 1500 HIGH ROOF	\$ 49,390.00	\$ 47,390.00
	VF2L12	PROMASTER CARGO VAN - 2500 LOW ROOF	\$ 50,240.00	\$ 48,104.00
	VF2L13	PROMASTER CARGO VAN - 2500 HIGH ROOF SWB	\$ 50,920.00	\$ 48,716.00
	VF2L16	PROMASTER CARGO VAN - 2500 HIGH ROOF LWB	\$ 51,540.00	\$ 49,393.00
	VF3L12	PROMASTER CARGO VAN - 3500 LOW ROOF	\$ 50,980.00	\$ 48,814.00
	VF3L13	PROMASTER CARGO VAN - 3500 HIGH ROOF SWB	\$ 51,980.00	\$ 49,756.00
	VF3L16	PROMASTER CARGO VAN - 3500 HIGH ROOF LWB	\$ 52,580.00	\$ 50,267.00
	VF3L17	PROMASTER CARGO VAN - 3500 HIGH ROOF LWB EXT LENGTH	\$ 55,440.00	\$ 52,926.00
	VF3L18	PROMASTER CARGO VAN - 3500 SUPER HIGH ROOF LWB	\$ 53,080.00	\$ 50,810.00
	VF3L19	PROMASTER CARGO VAN - 3500 SUPER HIGH ROOF LWB EXT LENGTH	\$ 56,245.00	\$ 53,657.00



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Donna Osmon, Senior Administrative Assistant

AGENDA ITEM TITLE: APPROVE MAURY COUNTY SOLID WASTE PRICE INCREASE FROM \$50.79 TO \$52.36 PER TON FOR DISPOSAL OF RESIDENTIAL TRASH WITH AN ESTIMATED FY 24/25 COST OF \$1,284,547.00.

RECOMMENDATION: Approve Maury County Solid Waste price increase.

INFORMATION: The City of Columbia Public Works Department utilizes Maury County Solid Waste for disposal of residential trash. Due to an increase in the Consumer Price Index (CPI), the price for disposal of residential trash will increase from \$50.79 to \$52.36 per ton. The tonnage for residential trash removal for (FY) fiscal year July 2023 - June 2024 totalled 24,533 tons. Using this tonnage, the estimated cost for FY 24/25 residential trash removal will be \$1,284,547.00.

CERTIFICATION: The Chief Financial Officer certifies that \$1,284,547 is budgeted and unencumbered in Sanitation-General - Landfill Costs.

ATTACHMENTS: Staff Report; MCSW email; Waste Management rate increase letter; CPI

Donna Osmon

From: Victoria Grissom <VGrissom@maurycounty-tn.gov>
Sent: Monday, July 1, 2024 10:07 AM
To: Jeff DeWire
Cc: Donna Osmon
Subject: [Caution External Email] - FW: Maury County Rate Increase eff. 7/1
Attachments: Maury County T&D PRICE INCREASE LETTER 07012024.docx

Good morning!

The rate increase came in this am. \$1.57 so that puts you guys at \$52.36

Let me know if you have any questions.

Have a great day!

From: Peterson, Stephanie <speter15@wm.com>
Sent: Monday, July 1, 2024 8:10 AM
To: Brandon, Tom <tbrandon@wm.com>; Victoria Grissom <VGrissom@maurycounty-tn.gov>
Subject: FW: Maury County Rate Increase eff. 7/1

CAUTION: This email is from an external source. Be careful when clicking links or opening attachments.

July 1, 2024

Maury County Government
1233 Lawson White Drive
Columbia, TN 38401
Victoria Grissom
Director of Solid Waste

Dear Director Grissom:

This letter is to inform you of the up upcoming rate increase. Per the contract the rates will increase by 3.8% based on the Consumer Price Index using the Garbage and Trash Index.

Please see the attached schedule of price listed below. The new rates will take effect on July 1, 2024.

MAURY COUNTY TN T&D account at Cedar Ridge Landfill 304-73
Customer Name: MAURYCOUNTYSOLI (MAURYCOUNTYSOLI_73)

	Tonnage Fee	Marshall County Fee	State Fee	Total
2023	\$ 41.30	1.34	1.25	\$ 43.89
2024	\$ 42.87	1.34	1.25	\$ 45.46

CPI-G&T	CPI - Value
3.80%	\$ 1.57

Thank you for the opportunity to service Maury County for their Solid Waste needs.



July 1, 2024

Maury County Government
1233 Lawson White Drive
Columbia, TN 38401
Victoria Grissom
Director of Solid Waste

Dear Director Grissom:

This letter is to inform you of the upcoming rate increase. Per the contract the rates will increase by 3.8% based on the Consumer Price Index using the Garbage and Trash Index. Please see the attached schedule of price listed below. The new rates will take effect on July 1, 2024.

MAURY COUNTY TN T&D account at Cedar Ridge Landfill

304-73

Customer Name: MAURYCOUNTYSOLI (MAURYCOUNTYSOLI_73)

	Tonnage Fee	Marshall County Fee	State Fee	Total
2023	\$ 41.30	1.34	1.25	\$ 43.89
2024	\$ 42.87	1.34	1.25	\$ 45.46

CPI-G&T	CPI - Value
3.80%	\$ 1.57

Thank you for the opportunity to service Maury County for their Solid Waste needs.

Sincerely,

Tom Brandon

**12-Month Percent Change****Series Id:** CUUR0000SEHG02,CUUS0000SEHG02

Not Seasonally Adjusted

Series Title: Garbage and trash collection in U.S. city average, all urban consumers, not seasonally adjusted**Area:** U.S. city average**Item:** Garbage and trash collection**Base** DECEMBER 1983=100**Period:**

Top of Form

Download:

Bottom of Form

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2014	2.8	2.6	2.7	2.8	2.6	2.7	2.4	2.2	2.1	2.0	1.5	1.4	2.3		
2015	1.3	1.6	1.4	1.0	1.4	1.1	1.1	1.5	1.5	1.6	2.0	2.1	1.5		
2016	2.2	2.1	2.0	1.8	1.6	1.6	1.7	1.5	1.4	1.3	1.6	1.8	1.7		
2017	2.1	2.1	2.1	2.2	2.0	2.3	2.2	2.1	2.1	2.7	2.4	2.0	2.2		
2018	1.6	1.6	1.8	2.6	3.5	3.8	3.8	4.8	4.9	4.5	7.2	7.1	4.0		
2019	4.9	5.0	5.1	4.5	3.9	3.4	3.6	2.9	2.8	2.9	0.0	0.2	3.2	4.5	2.0
2020	3.2	3.6	3.5	3.1	2.9	3.3	3.4	3.5	3.6	3.5	3.8	4.4	3.5	3.3	3.7
2021	4.4	4.6	4.7	4.9	4.3	4.1	4.5	4.7	5.6	5.3	4.8	4.8	4.7	4.5	5.0
2022	4.0	4.1	4.3	4.6	5.4	5.9	5.2	4.6	5.3	5.8	6.6	6.1	5.2	4.7	5.6
2023	7.0	6.9	6.7	6.9	7.9	7.7	8.8	8.9	6.9	6.5	6.7	6.5	7.3	7.2	7.4
2024	6.4	6.1	5.8	5.3	3.8										



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Donna Osmon, Senior Administrative Assistant

AGENDA ITEM TITLE: APPROVE AND AUTHORIZE THE MAYOR TO SIGN A CONTRACT AMENDMENT BETWEEN CITY OF COLUMBIA AND LOSE & ASSOCIATES IN THE AMOUNT OF \$3,200.00.

RECOMMENDATION: Approve and authorize the Mayor to sign a Contract Amendment No.3 between the City of Columbia and Lose & Associates for the Columbia Public Works building expansion.

INFORMATION: This contract amendment is for the Public Works Expansion design services. Contract Amendment No. 3 will include design and engineering services, as well as the construction administration review requirements necessary to install mechanical and plumbing systems required for the new construction. This design will include an exhaust fan, duct work, louvers and a domestic water line with a back flow preventer as required to service the building.

CERTIFICATION: The Chief Financial Officer certifies that \$3,200 will be proposed to be budgeted and unencumbered via Appropriation Amendment No. 1 in Capital Projects-Streets - Professional Services.

ATTACHMENTS: Staff Report; Lose Contract Amendment No. 3



June 28, 2024

Mr. Jeff DeWire
City of Columbia
Public Works Department
110 Santa Fe Pike
Columbia, TN 38401

Contract Amendment No. 3
Between City of Columbia & Lose & Associates, Inc. DBA Lose Design
Columbia Public Works - Expansion
Contract Dated October 28, 2021
Lose & Associates Job Number 20199

This letter shall serve as Contract Amendment No. 3 for the City of Columbia Public Works Expansion design services. Contract Amendment No. 3 shall include the design and engineering services, as well as the Construction Administration review requirements, necessary to install the Mechanical and Plumbing systems required for the new construction identified in the construction documents as Building H. This design is to include an exhaust fan, duct work, louvers, and a domestic water line with back flow preventer as required to service the building. These modifications are relevant to the Columbia Public Works facility located at 110 Santa Fe Pike, Columbia, TN 38401.

Fees: Contract Amendment No. 3:

Task #1 (Design, Engineering, and Construction Administration for Mechanical and Plumbing engineering services) \$3,200.00
Special Conditions Fee per Mechanical Engineer site visits; client must submit to Architect in writing a request for this additional service at a lump sum of \$800 per instance.

Terms and Conditions outlined in the original contract dated October 28, 2021 will govern the work included in this Amendment.

ACCEPTED: This ____ day of _____, 2024
ISSUED: This 28th day of June 2024.

Client's signature

Lose Signature

Print Name

Print Name

Title

Title

Approved as to Legal Form:


C. Tim Tisher, City Attorney



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Donna Osmon, Senior Administrative Assistant

AGENDA ITEM TITLE: APPROVE UPGRADE OF TRAFFIC DETECTION TO RADAR DETECTION USING WAVETRONIX AS A SOLE SOURCE PROVIDER IN THE AMOUNT OF \$124,180.00.

RECOMMENDATION: Approve upgrade of traffic detection to radar detection at (4) four major intersections within the city limits of Columbia.

INFORMATION: Public Works is requesting an upgrade to our traffic detection system at four (4) major intersections - James Campbell Blvd & Trotwood Ave, James Campbell Blvd & Highland Ave, Nashville Highway & Burt Dr and James Campbell Blvd & Garden St. This upgrade will replace loop detection in the roadway and provides for better vehicle detection at traffic signals using radar.

CERTIFICATION: The Chief Financial Officer certifies that \$124,180 will be proposed to be budgeted and unencumbered via Appropriation Amendment No. 1 in Capital Projects-Streets-General - Administrative.

ATTACHMENTS: Staff Report; Wavetronix quote; Wavetronix Legal; Wavetronix Sole Source letter



QUOTATION

Quote Number

QUO-18599-L8W4B2

Date

7/10/2024

Sales Rep

Steve Rojik

Details:**Project #:**

Description: TN - City of Columbia - James Campbell
Blvd at Garden St, Hwy 31/Carmack Blvd, and
Trotwood Ave.

Location: Columbia, TN

Special Terms:

Payment Terms: Net 30

Shipping Terms: EXW Wavetronix' Loading Dock

Shipping Method: Best Way

Bill To:

City of Columbia Public Works

Attn: Tim McMeans

110 Santa Fe Pike

Columbia, TN 38401

USA

931-388-8650

Ship To:

City of Columbia Public Works

Attn: Tim McMeans

110 Santa Fe Pike

Columbia, TN 38401

USA

931-388-8650

Please contact Steve Rojik if you have any questions or concerns.
(629) 214-9325 or email steve.rojik@wavetronix.com

311-43160-942

Bid Item	Part #	Description	QTY	Unit Price	UoM	Ext Price
		N. Garden St. at James Campbell Blvd	1	\$22,045.00	Each	\$22,045.00
	SS-225	SmartSensor Matrix	3			
	101-0478	Smart Sensor Triaxial Mount	3			
	SS-710	Sensor Cable Junction Box	3			
	SS-704-006	Cable, 6ft, 12-8 pin, 6 conductor	3			
	310-0418	Cable, 6', 25-15 pin, SDLC	1			
	102-0416-2	SDLC Cabinet Interface Device	1			
	102-0486	Arc Rack Mount Bracket	1			
	SS-705-001	SmartSensor 6 conductor cable, 1000' spool	1			
		James Campbell Blvd at Highland Ave	1	\$27,505.00	Each	\$27,505.00
	SS-225	SmartSensor Matrix	4			
	101-0478	Smart Sensor Triaxial Mount	4			
	SS-710	Sensor Cable Junction Box	4			
	SS-704-006	Cable, 6ft, 12-8 pin, 6 conductor	4			
	310-0418	Cable, 6', 25-15 pin, SDLC	1			
	102-0416-2	SDLC Cabinet Interface Device	1			
	102-0486	Arc Rack Mount Bracket	1			
	SS-705-001	SmartSensor 6 conductor cable, 1000' spool	1			
		James Campbell Blvd at Trotwood Ave.	1	\$27,505.00	Each	\$27,505.00
	SS-225	SmartSensor Matrix	4			
	101-0478	Smart Sensor Triaxial Mount	4			
	SS-710	Sensor Cable Junction Box	4			
	SS-704-006	Cable, 6ft, 12-8 pin, 6 conductor	4			
	310-0418	Cable, 6', 25-15 pin, SDLC	1			
	102-0486	Arc Rack Mount Bracket	1			
	102-0416-2	SDLC Cabinet Interface Device	1			
	SS-705-001	SmartSensor 6 conductor cable, 1000' spool	1			

		Nashville Hwy at Burt Dr	1	\$41,245.00	Each	\$41,245.00
	SS-225	SmartSensor Matrix	4			
	SS-200E	SmartSensor Advance Extended Range	2			
	101-0478	Smart Sensor Triaxial Mount	6			
	SS-710	Sensor Cable Junction Box	6			
	SS-704-006	Cable, 6ft, 12-8 pin, 6 conductor	6			
	310-0418	Cable, 6', 25-15 pin, SDLC	1			
	102-0486	Arc Rack Mount Bracket	1			
	102-0416-2	SDLC Cabinet Interface Device	1			
	SS-705-001	SmartSensor 6 conductor cable, 1000' spool	2			
		Spare Parts	1	\$5,880.00	Each	\$5,880.00
	102-0416-2	SDLC Cabinet Interface Device	1			
	102-0486	Arc Rack Mount Bracket	1			
	102-0562	SmartSensor Surge v2	10			

Total: \$124,180.00

Notes:

- Quote provided based on customer request
- Wavetronix wants to offer you the most current lead times when you are ready to place an order. Please feel free to contact your team at TNSales@Wavetronix.com to receive this information.
- Prices contained in this quote are applicable to this project only.
- This quote includes home-run cable. It is the responsibility of the customer or contractor to verify the amount of cable needed for this project and adjust accordingly.
- Please send purchase orders and correspondence to TNSales@wavetronix.com.

Price is valid for shipment and use within the region designated on this quote. If other destination is required, please contact Steve Rojik for any concerns and questions.

*Quotation is valid for 45 days from date as quoted unless otherwise noted above.

*Mount banding is not included and is to be provided by others.

*Wavetronix is not responsible for system integration or design.

*Price is based on standard sensor configuration and subject to change if the bill of material changes.

*Contractor is responsible for determining whether additional sensor cable is required.

*Price provided is for material only.

*Poles for installation are not included.

*Ethernet switch, patch cable, Ethernet cable and other devices not specifically listed are not included.

*Any Items included in this quote containing *NCNR* in the description are under the conditions of our Non-Cancellable, Non-Returnable policy. Prior to placing an order into production, customers must sign and submit the NCNR acknowledgment form.

*Subject to Wavetronix standard terms and conditions.

Wavetronix terms and conditions apply, with the noted exceptions, if any, as stated above.

By accepting this quote, you accept our terms and conditions, which can be found at: www.wavetronix.com/legal



Wavetronix Return Material Authorization Policy

Effective Feb 13, 2017

Technical Support Calls and RMAs

1. Customers and end users of Wavetronix products must first contact their local authorized Wavetronix dealer for technical support, as applicable. It is important that dealers be aware of any problems their customers are having, and since many dealers have their own technical support processes in place, customers may benefit by having problems resolved locally. Dealers will escalate support issues to Wavetronix when necessary. Customers not working through a dealer will contact Wavetronix directly.
2. To begin the RMA (Return Material Authorization) process, please email rma@wavetronix.com or call 801-734-7200.
3. All calls and emails requesting an RMA for any Wavetronix product will be treated as a technical support request. To verify that the necessary troubleshooting has been performed, Wavetronix Technical Support representatives will request the following information:
4. Applicable serial numbers
5. Failure mode of each product
6. How the failure was detected
7. Troubleshooting steps already taken
8. Product installation date
9. Installation conditions
10. Originating PO number
11. RMAs will only be issued by Wavetronix Technical Support once a Wavetronix Technical Support representative has determined that an RMA is necessary.
12. Products that are returned to Wavetronix without a valid RMA number will be returned to the customer, and the customer will be assessed a \$75 handling fee. This applies to products under warranty and to any products added to an existing RMA without the prior approval of Wavetronix Technical Support.

Warranty/Non-warranty Repairs

1. All products received under warranty are handled as outlined in the Wavetronix Product Catalog under each product's respective warranty description. This warranty information can also be found at www.wavetronix.com/support under each product's webpage.

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Shipping and other charges are not included in the flat fee.

3. For product exceeding 10 years from its original ship date, repairs will no longer be performed.
4. For product exceeding 5 years from its original ship date, Wavetronix will make best efforts to repair the product, but reserves the right not to perform repairs based on the following:
 5. Material availability
 6. Design changes
 7. Scope of repairs
8. For Click 600 series products, the same fee schedule applies on all non-warranty repairs. Other Click products beyond their warranty date will be treated as case-by-case and may not be repaired.
9. The flat repair fee applies to all billable returns and is non-refundable.
10. A PO for the repair fee is expected with receipt of equipment.
11. If a non-warranty item that is returned is designated as unrepairable, we will discard the item, unless specifically requested otherwise by the customer in writing.
12. Wavetronix reserves the right to modify its repair fee structure without prior notice.

RMA Repairs

1. Unused product that is to be returned must have an RMA number issued by a Wavetronix Technical Services representative.
2. All product shall be returned in its original packaging. Equipment shall be clean and never used in the field. Items that appear to be used, not in original packaging or the original packaging has been breached, will be returned to the customer at the customer's expense.
3. Wavetronix is not responsible for any shipping costs, duties and fees associated with returning unused product.
4. Unused product authorized for return shall be fully refunded. Wavetronix may assess a restocking fee of 25% the PO cost for that line-item.
5. The following items, classified as NCNR (non-cancellable / non-returnable), cannot be returned:
 6. Custom cable lengths and cable assemblies
 7. Custom backplates and cabinet assemblies
 8. Command products
 9. Other products as determined by Wavetronix
10. Product beyond its warranty period shall not be eligible for return.

Return Policy for Unused Product

1. Unused product that is to be returned must have an RMA number issued by a Wavetronix Technical Services representative.
2. All product shall be returned in its original packaging. Equipment shall be clean and never used in the field. Items that appear to be used, not in original packaging or the original packaging has

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unused product.

4. Unused product authorized for return shall be fully refunded. Wavetronix may assess a restocking fee of 25% the PO cost for that line-item.
5. The following items, classified as NCNR (non-cancellable / non-returnable), cannot be returned:
6. Custom cable lengths and cable assemblies
7. Custom backplates and cabinet assemblies
8. Command products
9. Other products as determined by Wavetronix
10. Product beyond its warranty period shall not be eligible for return.

Wavetronix Domestic Terms and Conditions of Sale

Effective on: Sep 8, 2015

1. **APPLICABILITY.** Except as otherwise expressly agreed in writing, signed by an authorized agent of Wavetronix, these Domestic Terms and Conditions of Sale apply to all Contracts entered into between Wavetronix and Buyer for the purchase and sale of goods or services, regardless of how a Contract is formed, including contracts formed by Wavetronix making an offer to sell followed by Buyer accepting that offer, by Buyer making an offer to buy and Wavetronix accepting that offer, by conduct of both parties recognizing the existence of a Contract, or in any other manner.
2. **DEFINITIONS.** The following capitalized terms have the following meanings: "Buyer" means the person or entity directly purchasing goods or services from Wavetronix. "Contract" means the contract between Wavetronix and Buyer for the purchase and sale of goods or services. "Customer" means a Third Party with whom Buyer has a contractual relationship to purchase the goods or services under this Contract. Typically, the Customer is a contractor or a state or local department of transportation responsible for the roadway on which a Wavetronix product will be used. Citizens or users of such a roadway are not "Customers" and obtain no rights under this Contract. "Terms" means these Domestic Terms and Conditions of Sale. "Third party" shall include every person, government, or other entity other than Wavetronix and Buyer. "Wavetronix" means Wavetronix LLC, an Idaho limited liability company. For purposes of the limitations on liability in Section 9 and for purposes of indemnity in Section 11, "Wavetronix" includes, where appropriate, members, board members, managers, officers, employees, agents, and representatives of Wavetronix.
3. **EXCLUSIVE TERMS OF SALE.** These Terms are exclusive. Offers by Wavetronix to sell are limited to these Terms, and any additional or different terms proposed by Buyer are hereby rejected. Acceptance by Wavetronix of Buyer's offer is conditioned on Buyer's acceptance of these Terms.

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Wavetronix.

5. **TERMS OF PAYMENT.**(a) Buyer shall pay the net amount due in full within 30 days of the date of invoice unless other terms are approved by Wavetronix in writing. Amounts unpaid 30 days after the due date shall accrue interest at 1.5% per month, compounded monthly.(b) The price is payable without deduction, set-off, counterclaims, back charges, or any other charges or claims of Buyer of whatsoever nature, and the obligations of Buyer to Wavetronix shall remain unimpaired regardless of disputes that may arise between Buyer and third parties.(c) A fee of 3% the value of the purchase order will be assessed for credit purchases exceeding \$10,000.
6. **PAYMENT OF TAXES, AND OTHER GOVERNMENTAL CHARGES BY BUYER.** The Contract price does not include sales, use, excise, value added or any similar tax or other governmental charge upon or with respect to the sale, purchase, manufacture, process, fabrication, delivery, storage, use, consumption, or transportation of such goods. The amount of any such taxes or charges shall be deemed extra charges and shall be paid by the Buyer. In the case of taxes, Buyer may provide Wavetronix with a tax exemption certificate acceptable to applicable taxing authorities. If, for any reason, any such certificate is not accepted by such authorities or such acceptance is revoked, Buyer shall indemnify and hold Wavetronix harmless as provided in Section 10. Whenever applicable, such tax or taxes or other governmental charges will be added to the invoice as a separate charge to be paid by Buyer. All licenses and permits shall be secured by Buyer at Buyer's expense unless the responsibility is assumed in writing by Wavetronix.
7. **DELIVERY, RISK OF LOSS, AND TITLE.**(a) All deliveries shall be EXW Wavetronix' loading dock, in accordance with International Commercial Terms, Incoterms® 2010, published by the International Chamber of Commerce.(b) Wavetronix shall have a purchase money security interest in all goods until the complete purchase price and all additional costs and charges are paid by Buyer. Wavetronix may make any third party notification or filing deemed necessary to protect and perfect such interest.(c) Any shipment or delivery dates recited represent Wavetronix' best estimate, but Wavetronix shall not be liable, directly or indirectly, for failure to ship or deliver on such dates.
8. **WARRANTY.** New Wavetronix products and services may have an express limited warranty. A copy of the warranty, if one applies, is available at Wavetronix.com or by request. Unless otherwise provided in writing, that is the only warranty provided. **ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, ARE EXCLUDED, INCLUDING IMPLIED WARRANTIES OF FITNESS FOR A PARTICULAR PURPOSE AND MERCHANT-ABILITY.** If no warranty applies, Buyer accepts the goods or services "as is," without warranty.
9. **LIMITATIONS OF DAMAGES.** THIS CONTRACT, INCLUDING ANY EXPRESS LIMITED WARRANTY, EXPRESSLY DISCLAIMS ALL INDIRECT, INCIDENTAL, CONSEQUENTIAL, LIQUIDATED AND PUNITIVE DAMAGES AND ANY EXPENSES RELATED TO ANY PARTIAL OR COMPLETE INOPERABILITY OF THE PRODUCT THAT MAY ARISE AS A RESULT OF ANY BREACH OF THIS CONTRACT OR A BREACH OF WARRANTY, OR FOR ANY OTHER REASON, EVEN IF WAVETRONIX IS AWARE OF THE POSSIBILITY THEREOF. IN NO EVENT WILL ANY DAMAGES ARISING FROM A BREACH OF THIS CONTRACT, INCLUDING A BREACH OF ANY WARRANTY,

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10. **INDEMNIFICATION.** Buyer shall defend, indemnify and hold Wavetronix harmless with respect to:
- (a) all demands, claims, actions, or judgments of a Third Party against Wavetronix, directly or indirectly, for any direct, consequential, material, special, liquidated, punitive, or other damages, regardless of whether such demand, claim, action, or judgment is based on theories of contract, tort, negligence, strict liability, warranty, indemnity, contribution, statute, or otherwise, including without limitation, all demands, claims, actions, and judgments relating to injury to and/or death of any and all persons and for loss of and/or damage to property arising from use, handling, repair, adjustment, operation, modification, or conversion of goods or services covered by this Contract;
 - and (b) all demands, claims, actions, or judgments of a third party against Wavetronix, directly or indirectly, based on a theory of infringement or violation of patents, trademarks, trade names, trade secrets, copyrights, or the like when such demand, claim, action, or judgment is based in whole or in part directly or indirectly, on Wavetronix' compliance with specifications provided by Buyer. This indemnification and promise to defend and hold Wavetronix harmless extends to instances where Wavetronix is alleged or found to be negligent and includes, without limitation, reasonable attorneys' fees and all other expenses incurred by Wavetronix in connection therewith. If Wavetronix, at its option, chooses to defend such a demand, claim, action, or judgment, Buyer agrees to cooperate with and assist Wavetronix in its defense in whatever reasonable ways Wavetronix chooses.
11. **TECHNICAL DATA; SPECIFICATIONS; LIMITATION OF LIABILITY.** Any technical data, product installation specifications, design and performance specifications, technical advice, drawings, and specifications furnished by Wavetronix with respect to goods supplied and the use of such goods is provided to assist in the proper deployment and use of Wavetronix products, systems and solutions. Wavetronix makes no claim to meet any product or system specification that is not provided by Wavetronix or that which has not been previously approved in writing by the Wavetronix Chief Operating Officer. Wavetronix will have no liability for any damages, direct, consequential, incidental, special, liquidated, punitive, or otherwise, for any Wavetronix product, service or system deployments that do not follow defined Wavetronix installation specifications.
12. **ACCEPTANCE OF GOODS.** In order to insure prompt inspection by Buyer and to estimate improper methods of storage and other abuse of goods sold, Buyer must notify Wavetronix in writing concerning the nonconformity of the goods to the Contract as soon as practicable but in no event later than 60 days after delivery. Such written notice shall set forth with particularity the nature and extent of the nonconformity complained of. All claims for shortages must be made in writing within 15 days after receipt of the goods by Buyer or its agent and specify with particularity the exact shortage complained of. Immediate written notice must be given to the carrier's agent at destination in the event of damage or loss in transit. In no event shall Wavetronix be responsible for claims resulting in whole or in part, directly or indirectly, from the use or abuse of nonconforming goods or for the costs of labor and/or materials expended on any such goods. Failure to furnish such written claim within such prescribed period of time shall terminate all liability of Wavetronix. Wavetronix must be given the opportunity upon written demand to inspect the goods claimed to be nonconforming to this Agreement. Goods which do

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satisfaction of Wavetronix that any alleged nonconformity to the Contract was solely caused by a breach by Wavetronix of the applicable warranty as to the conformity to the express specifications of Buyer set forth above. In no event shall any claim of Buyer be set-off against outstanding or subsequent invoices of Wavetronix without Wavetronix' written consent.

13. **FORCE MAJEURE.** Wavetronix shall not be liable or responsible to Buyer, nor be deemed to have defaulted under or breached this Contract, for any failure or delay in fulfilling or performing any term of this Contract, when and to the extent such failure or delay is caused by or results from acts beyond its reasonable control, including, without limitation, the following force majeure events: (a) acts of God; (b) flood, fire, earthquake or explosion; (c) war, invasion, hostilities (whether war is declared or not), terrorist threats or acts, riot or other civil unrest; (d) government order or law; (e) actions, embargoes or blockades in effect on or after the date of this Agreement; (f) action by any governmental authority; (g) national or regional emergency; (h) strikes, labor stoppages or slowdowns or other industrial disturbances; and (i) shortage of adequate power or transportation facilities. Wavetronix shall give notice to the Buyer, stating the period of time the occurrence is expected to continue. Wavetronix shall use diligent efforts to end the failure or delay and ensure the effects of such event are minimized. Wavetronix shall resume the performance of its obligations as soon as reasonably practicable after the removal of the cause.
14. **BUYER'S RESPONSIBILITY, ANTICIPATORY BREACH, AND DEFAULT.**(a) If Wavetronix has any doubt as to Buyer's responsibility, or if Buyer fails to fulfill the terms and conditions of payment herein and on the face hereof, Wavetronix may decline to make any further shipment or delivery hereunder, except upon receipt of satisfactory security including but not limited to full or partial prepayment.(b) In the event of anticipatory breach by Buyer or if the financial condition of Buyer at any time does not, in the reasonable judgment of Wavetronix, justify continuance of the work to be performed by Wavetronix hereunder on the terms of payment originally specified, Wavetronix may require full or partial payment in advance and, in the event of bankruptcy or insolvency of Buyer, or in the event any proceeding is brought by or against Buyer under any bankruptcy or insolvency laws, Wavetronix shall be entitled to cancel any agreement and work then outstanding and Buyer shall reimburse Wavetronix for any losses, expenses, and charges incurred as a result thereof.(c) If Buyer shall fail to make payments on this or any other agreement between Buyer and Wavetronix in accordance with its terms, Wavetronix may defer further shipments until such payments are made or, at its option, cancel the Contract with respect to any balance. If pursuant to this provision, Wavetronix shall defer any shipments or cancel in whole or in part the Contract, Buyer shall be liable for and reimburse Wavetronix for all losses, expenses, and damages, including any and all direct and consequential damages, incurred by Wavetronix as a result of such deferral or cancellation.
15. **NO WAIVER.** Failure by Wavetronix to enforce any of the terms, conditions, and limitations of this Contract shall not constitute a waiver thereof or a waiver of any other terms, conditions, or limitations, and the failure of Wavetronix to exercise any rights arising from default of Buyer or otherwise shall not constitute a waiver of such right or any other right. The terms, conditions, and limitations may be enforced and rights of Wavetronix enforced at any time in whole or in part.


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any such purported or attempted assignment or delegation shall be null and void.

17. **APPLICABLE LAW; SAVINGS CLAUSE.** The local law of the State of Utah, excluding its principles of choice of laws and the United Nations Convention on Contracts for the International Sales of Goods, shall apply in interpreting these terms, conditions, and limitations, and shall apply to all questions arising in connection with this Contract, the sale of goods covered hereby, the Contract, and any claims related to the foregoing. If any clause or provision of these terms and conditions is held in violation of applicable law, this Contract shall be interpreted as if such provisions are in full force and in effect to the extent legally permitted or, if such clause or provision is prohibited in its entirety, it shall be null and void, and the Contract as so modified shall remain in full force and effect.
18. **INSTALLATION SUPERVISION.** Prices quoted for equipment do not include installation supervision. Wavetronix recommends and will, upon request, make available, at Wavetronix' then current rate, an experienced installation supervisor to act as Buyer's agent to supervise installation of the equipment. Buyer shall at its sole expense furnish all necessary labor equipment, and materials needed for installation. Responsibility for proper operation of equipment if not installed by Wavetronix or installed in accordance with Wavetronix' instruction, rests entirely with Buyer; and any work performed by Wavetronix personnel in making adjustment or changes must be paid for at Wavetronix' then current per diem rates plus living and traveling expenses.
19. **INTELLECTUAL PROPERTY.** Buyer acknowledges Wavetronix' intellectual property rights under this agreement for products listed in Wavetronix quotation and/or on Buyer's order form, regardless of whether a notice appears on the equipment, its product manuals, software, or quotation, or whether it has been filed with a patent, trademark or copyright office. Buyer and Customer shall not copy, in whole or in part, the equipment or any documentation provided by Wavetronix in any form, nor shall Customer make any modifications to or derivations of the equipment without the prior written consent of Wavetronix. Buyer and Customer shall not, except as expressly authorized and only to the extent established by applicable statutory law, attempt to (or permit others to) decipher, reverse translate, decompile, disassemble or otherwise reverse engineer or attempt to reconstruct or discover any source code or underlying ideas or algorithms or file formats or programming or interoperability interfaces of the equipment and software by any means whatsoever. In addition, Buyer and Customer shall not provide or make available to any other person the equipment, any related documentation or any other information provided pursuant to this agreement.
20. **NCNR ITEMS.** Wavetronix reserves the right to classify any product as Non-Cancellable / Non-Returnable at any time. The criteria used for classifying items includes:
 - Products customized per the Buyer's request
 - Items that are classified NCNR with the Wavetronix supplier base
 - Command products
 - Other criteria as determined by Wavetronix
 Orders for NCNR items will not be processed until Wavetronix has written approval from the Buyer to proceed.
21. **EXPEDITE FEES.** Buyer may request expedited production by providing written notice to Wavetronix specifying the requested delivery date. Wavetronix reserves the right to accept or

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pay an expedited production fee. The fee amount will be determined by Wavetronix and communicated to the Buyer in writing.

22. **PRODUCT RETURNS.** All products that are to be returned to Wavetronix shall be subject to Wavetronix Returns Policy. Any product return must have an assigned RMA number. Products that are received without the issuance of an RMA number will be returned to the Buyer at the Buyer's expense. All products returned will be subject to a restocking fee of 25%. Unused product outside its warranty coverage cannot be returned. The Buyer will be responsible for all freight and other charges associated with an unused product return. Additional information on the Wavetronix Returns Policy may be obtained by visiting www.wavetronix.com.
23. **ENTIRE AGREEMENT.** Wavetronix and Buyer intend for these Terms to be a final, complete and exclusive expression of their agreement on the terms to be applied to this Contract. The Contract represents all items being sold. Examples of additional items that should be contracted for separately include but are not limited to cables, service, training and installation and are not included with the product. These Terms may not be supplemented or contradicted by evidence of any prior agreement or of any contemporaneous oral agreement. These Terms may not be supplemented by any different or additional terms even if such terms are consistent with the Terms of this Contract.
24. **HEADINGS.** Section headings are for convenience only and shall not be used to interpret this Contract.

Wavetronix Privacy Policy

Effective Feb 13, 2018

This privacy notice discloses the privacy practices for Wavetronix. This privacy notice applies to information collected by Wavetronix either via our website, at a tradeshow, or via our mobile app. It notifies you of the following:

1. What personally identifiable information we collect, how we use it, and whom we share it with.
2. What choices are available to you regarding the use of your data.
3. The security procedures we use to prevent the misuse of your information.
4. How you can correct any inaccuracies in the information.

Information Collection, Use, and Sharing

Information we collect includes:

- We collect information that you voluntarily give us. This may include:
- First and last name
- Company
- Company address

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- Potential projects
- Other companies you work with
- Cookies on our website that record your email address (after you login) and your language preferences.
- Non-personally identifiable information is also collected via our app and website. This data includes:
 - The number of app installs
 - How many times the app/website is used
 - When the app is a new install
 - How long users are spending with the content
 - The average amount of time per user with an article
 - Crash reports
 - Version statistics
 - Operating system and device being used
 - The country where a user is located (based on IP address)

Our website uses cookies are used for simplifying the login process by remembering your username (email) and setting the default language of the website.

Personal information is used to respond to you, regarding the reason you contacted us. We will not share your information with any third party outside of our organization, other than as necessary to fulfill your request, e.g. to ship an order.

Unless you ask us not to, we may contact you via email in the future to tell you about discounts, new products or services, or changes to this privacy policy.

Non-identifiable information collected in the app and website is used to help us better understand and meet the needs of our users.

We are the sole owners of the information collected on this site. We will not provide, sell or rent this information to anyone.

Your Access to and Control Over Information

You may opt out of any future contacts from us at any time. You can do the following at any time by contacting us via the email address or phone number given on our website:

- See what data we have about you, if any.
- Change/correct any data we have about you.
- Have us delete any data we have about you.
- Express any concern you have about our use of your data.

Security

Wherever we collect sensitive information, that information is encrypted and transmitted to us in a secure way. You can verify this by looking for a lock icon in the address bar and looking for "https" at the beginning of the address of the Web page.

While we use industry standard encryption to protect sensitive information transmitted online, we also protect your information offline. Only employees who need the information to perform a specific job are granted access to personally identifiable information. The computers/servers in which we store personally identifiable information are kept in a secure environment.

If you feel that we are not abiding by this privacy policy, you should contact us immediately via telephone at (801) 734-7200 or webmaster@wavetronix.com.

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DATE: 07/17/2024

TO: Mr. Timothy McMeans
City of Columbia
700 N Garden St
Columbia, TN 38401

FROM: Wavetronix, LLC

COMPANY

Steve Rojik

NAME

TITLE

Regional Sales Manager

RE: SOLE SOURCE DECLARATION

Supplier: Wavetronix, LLC
Address: 1827 West 650 North, Springville UT 84663

Wavetronix Exclusive Certification

To Whom it May Concern:

We would like to confirm that we are the manufacturer and the exclusive representative of the SmartSensor Matrix traffic radar, the SmartSensor Advance Extended Range traffic radar, and all other Wavetronix products for the state of Tennessee, e.g. Tennessee Department of Transportation and all Municipal agencies. There are no existing relationships or agreements, within the State of Tennessee, with any other entity, dealer, distributor, or value-added reseller from which products can be procured.

Our employees in Tennessee have completed factory certified training and are authorized to sell and support all Wavetronix products.

Any questions regarding Wavetronix can be forwarded to the Tennessee team at tennessee@wavetronix.com. Thank you for attention with this matter.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Steve Rojik', with a stylized flourish extending to the right.

Steve Rojik
Regional Sales Manager Tennessee/Alabama
Steve.rojik@wavetronix.com
629-888-0793



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Donna Osmon - Senior Administrative Assistant

AGENDA ITEM TITLE: APPROVE AND AUTHORIZE MAYOR TO SIGN A CONTRACT WITH WASTE MANAGEMENT FOR DISPOSAL OF SOLID WASTE IN EXTENUATING CIRCUMSTANCES.

RECOMMENDATION: Approve and authorize Mayor to sign a contract with Waste Management.

INFORMATION: Public Works normally takes solid waste to the Maury County transfer station. If they are closed or do not have room, we take solid waste to United Waste Haulers. In the event they are both closed, we need a location to dispose of solid waste so our department can continue collecting as normal. We are requesting to utilize a contract with Waste Management that will be used only in emergency or extenuating circumstances. The current tonnage rate for Waste Management will be \$40.00 per ton. This rate will change yearly based on the (CPI) Consumer Price Index.

CERTIFICATION:

ATTACHMENTS: Staff Report Waste Management; Waste Management contract; WM Exhibit A; WM Profile Sheet



INDUSTRIAL WASTE & DISPOSAL SERVICES AGREEMENT

Approved as to Legal Form:

C. Tim Tisher
C. Tim Tisher, City Attorney

COMPANY: _____
A WASTE MANAGEMENT COMPANY

Address: _____

City/State/Zip: _____

Signed: _____
Authorized Signature

Name: _____

Title: _____

Effective Date: _____ **Date**

CUSTOMER: _____

Address: _____

City/State/Zip: _____

Signed: _____
Authorized Signature

Name: _____

Title: _____

Initial Term: 36 Months **Date**

AGREEMENT

This INDUSTRIAL WASTE & DISPOSAL SERVICES AGREEMENT, consisting of the terms and conditions set forth herein, and Exhibit A, and/or Confirmation Letter(s) and the Profile Sheet(s) entered into from and after the date hereof from time to time (all of the foregoing being collectively referred to as the "Agreement"), is made as of the Effective Date shown above by and between the Customer named above, on its and its subsidiaries and affiliates behalf (collectively, "Customer") and the Waste Management entity named above ("the Company").

TERMS AND CONDITIONS

1. SERVICES PROVIDED. The Company and/or its affiliates will provide Customer with collection, management, transportation, disposal, treatment and recycling services ("Services") for Customer's non-hazardous Solid Waste, Special Waste, Hazardous Waste, and/or Recyclables, as described on Exhibit A and/or Confirmation Letter(s) and/or applicable Profile Sheets (collectively "Industrial Waste"). "Solid Waste" means garbage, refuse and rubbish including those which are recyclable but excluding Special Waste and Hazardous Waste. "Special Waste" includes polychlorinated biphenyl ("PCB") wastes, industrial process wastes, asbestos containing material, petroleum contaminated soils, treated/de-characterized wastes, incinerator ash, medical wastes, demolition debris and other materials requiring special handling in accordance with any applicable federal, state, provincial or local laws or regulations. "Hazardous Waste" means any hazardous, toxic, or radioactive substances, as such terms are defined by any applicable federal, state, provincial or local laws or regulations. "Nonconforming Waste" means waste that (a) is not in conformance with waste descriptions given by Customer under this Agreement, in an Exhibit A, Confirmation Letter(s) or the Profile Sheet incorporated herein; (b) is prohibited from being received, managed or disposed of at a transfer, storage or disposal facility used hereunder by federal, state or local law, regulation, ordinance, permit or other legal requirement; (c) is non-hazardous Solid Waste that contains regulated Special Waste or Hazardous Waste; (d) is or contains any infectious waste, radioactive, volatile, corrosive, flammable, explosive, biomedical, biohazardous material, regulated medical or hazardous waste or toxic substances, as defined pursuant to or listed or regulated under applicable federal, state or local law, except as stated on Exhibit A, the Profile Sheet or Confirmation Letter; or (e) contains information protected by federal, state or local privacy or data security laws, including but not limited to the Health Insurance Portability and Accountability Act of 1996, as amended ("HIPAA").

2. CUSTOMER WARRANTIES. Customer hereby represents and warrants that all Industrial Waste collected by or delivered to the Company shall be in accordance with waste descriptions given in this Agreement and shall not be or contain any Nonconforming Waste. When the Company handles Special or Hazardous Waste for Customer, Customer will provide the Company with a Generator's Waste Profile Sheet ("Profile Sheet") describing all Special or Hazardous Waste, and provide a representative sample of such waste on request. In the event this Agreement includes transportation by the Company, Customer shall, at the time of tender, provide to the Company accurate and complete documents, shipping papers or manifests as are required for the lawful transfer of the Industrial Waste under all applicable federal, state or local laws or regulations. Tender or delivery shall be considered nonconforming if not in accordance with this Section. Customer further represents and warrants that it will comply with all applicable laws, ordinances, regulations, orders, permits or other legal requirements applicable to the Industrial Waste. Customer shall provide the Company and its Subcontractors a safe work environment for Services performed on any premises owned or controlled by Customer.

3. TERM OF AGREEMENT; RIGHT TO PROVIDE COMPETING OFFERS. The Initial Term of this Agreement shall be as set forth above and if no such term is set forth above, it shall be 36 months, commencing on the Effective Date set forth above. This Agreement shall automatically renew thereafter for additional terms of twelve (12) months each ("Renewal Term", with "Initial Term," collectively, the "Term") unless either party gives to the other party written notice of termination at least ninety (90) days prior to the termination of the then-existing term; provided however, that the terms and conditions of this Agreement shall remain in full force and effect, in accordance with its terms, with respect to any uncompleted or unfinished Services provided for in an Exhibit A, Confirmation Letter and/or Profile Sheet until such Services are completed. Notice of termination received at any other time will be considered ineffective and the Agreement will be considered automatically renewed upon completion of the then-existing term. If Customer receives an offer from (or makes any offer to) a third party relating to such third party's provision to the Customer of the same or similar Services to those provided hereunder, Customer shall give Company prompt written notice of any such offer and a 15-day period to respond to such third party offer prior to Customer agreeing to such third party offer.

4. INSPECTION; REJECTION OF WASTE. Title to and liability for Nonconforming Waste shall remain with Customer at all times. Company shall have the right to inspect, analyze or test any waste delivered by Customer. If Customer's Industrial Waste is Nonconforming Waste, Company can, at its option, reject Nonconforming Waste and return it to Customer or require

Customer to remove and dispose of the Nonconforming Waste at Customer's expense. Customer shall indemnify, hold harmless (in accordance with Section 9) and pay or reimburse Company for any and all costs, damages and/or fines incurred as a result of or relating to Customer's tender or delivery of Nonconforming Waste or other failure to comply or conform to this Agreement, including costs of inspection, testing and analysis. Company also may reject any Industrial Waste that could adversely impact the receiving facility, or Company may terminate the Agreement or the applicable Exhibit A related to such Industrial Waste.

5. SPECIAL HANDLING; TITLE. If Company elects to handle, rather than reject, Nonconforming Waste, Company shall have the right to manage the same in the manner deemed most appropriate by Company given the characteristics of the Nonconforming Waste. Company may assess and Customer shall pay additional charges associated with delivery of Nonconforming Waste, including, but not limited to, special handling or disposal charges, and costs associated with different quantities of waste, different delivery dates, modifications in operations, specialized equipment, and other operational, environmental, health, safety or regulatory requirements. Title to and ownership of acceptable Industrial Waste shall transfer to Company upon its final acceptance of such waste.

6. COMPANY WARRANTIES. Company hereby represents and warrants that (a) Company will manage the Industrial Waste in a safe and workmanlike manner in full compliance with all valid and applicable federal, state and local laws, ordinances, orders, rules and regulations; and (b) it will use disposal and recycling facilities that have been issued permits, licenses, certificates or approvals required by valid and applicable laws, ordinances and regulations necessary to allow the facility to accept, treat and/or dispose of Industrial Waste. Except as provided herein, Company makes no other warranties and hereby disclaims any other warranty, whether implied or statutory.

7. LIMITED LICENSE TO ENTER. When a Customer is transporting Industrial Waste to a Company facility, Customer and its subcontractors shall have a limited license to enter a disposal facility for the sole purpose of off-loading Industrial Waste at an area designated, and in the manner directed, by Company. Customer shall, and shall ensure that its subcontractors, comply with all rules and regulations of the facility, as amended. Company may reject Industrial Waste, deny Customer or its subcontractors entry to its facility and/or terminate this Agreement in the event of Customer's or its subcontractors' failure to follow such rules and regulations.

8. CHARGES AND PAYMENTS. Customer shall pay the rates ("Charges") set forth on Exhibit A or a Confirmation Letter, which may be modified as provided in this Agreement. Company reserves the right, and Customer acknowledges that it should expect Company to increase or add Charges payable by Customer hereunder during the Term. The rates may be adjusted by Company to account for: any changes or modifications to, or differences between, the actual equipment and Services provided by Company to Customer and those specified on Exhibit A; any increase in or to recoup all or any portion of, disposal, transportation, processing, fuel or environmental compliance fees or costs, or recovery of the Company's and affiliates' costs associated with host community fees, waste disposal taxes and similar charges paid to municipal or other governmental authorities or agencies to engage in recycling and waste collection, transfer, processing, disposal and treatment; any change in the composition, amount or weight of the Industrial Waste collected by Company from Customer's service location(s) from what is specified on Exhibit A (including for container overages or overflows) of the Industrial Waste; increased costs due to uncontrollable circumstances, including, without limitation, changes (occurring from and after three (3) months prior to the Effective Date) in local, state or federal laws or regulations, including the imposition of or increase in taxes, fees or surcharges, or acts of God such as floods, fires, hurricanes and natural disasters. Company also reserves the right to charge Customer additional charges for Services provided by Company to Customer, whether requested or incurred by Customer, including, but not limited to, dig out, minimum load charges, profile approval charges, all at such rates that Company is charging its customers at such time. The Company may also increase the charges by an amount equal to the average percentage increase for the previous twelve-month period in the Consumer Price Index for Water & Sewer & Trash Collection Services, as published by the U.S. Department of Labor, with the amount of the increase based on the most current information available from the U.S. Department of Labor 30 days prior to the date of the increase, unless the parties have otherwise agreed to a

different CPI as stated in an Exhibit A. Increases in Charges for reasons other than as provided above require the consent of Customer which may be agreed to orally, in writing or by other actions and practices of the parties, including, without limitation, payment of the invoice reflecting such changes, and written notice to Customer of any such changes and Customer's failure to object to such changes, which shall be deemed to be Customer's affirmative consent to such changes. Increases to Charges as specified in this Section may be applied singularly or cumulatively and may include an amount for Company's operating or profit margin. Customer acknowledges and agrees that any increased Charges under this section are not represented to be solely an offset or pass through of Company's costs. All rate adjustments as provided above and in Section 5 shall take effect upon notification from Company to Customer. Customer shall pay the rates in full within thirty (30) days of the invoice date.

Any Customer invoice balance not paid within thirty (30) days of the date of invoice is subject to a late charge, and any Customer check returned for insufficient funds is subject to a non-sufficient funds charge, both to the maximum extent allowed by applicable law. Customer acknowledges that any late charge charged by Company is not to be considered as interest on debt or a finance charge, and is a reasonable charge for the anticipated loss and cost to Company for late payment. If payment is not made when due, Company retains the right to suspend Services until the past due balance is paid in full. In addition to full payment of outstanding balances, Customer shall be required to pay a reactivation charge to resume suspended Services. If Services are suspended for more than fifteen (15) days, Company may immediately terminate this Agreement for default and recover any equipment and all amounts owed hereunder, including liquidated damages under Section 14.

9. INDEMNIFICATION. The Company agrees to indemnify, defend and save Customer harmless from and against any and all liability (including reasonable attorneys' fees) which Customer may be responsible for or pay out as a result of bodily injuries (including death), property damage, or any violation or alleged violation of law, to the extent caused by Company's breach of this Agreement or by any negligent act, negligent omission or willful misconduct of the Company or its employees, which occurs (1) during the collection or transportation of Customer's Industrial Waste by Company, or (2) as a result of the disposal of Customer's Industrial Waste, after the date of this Agreement, in a facility owned by a subsidiary or affiliate of the Company provided that the Company's indemnification obligations will not apply to occurrences involving Nonconforming Waste.

Customer agrees to indemnify, defend and save the Company harmless from and against any and all liability (including reasonable attorneys' fees) which the Company may be responsible for or pay out as a result of bodily injuries (including death), property damage, or any violation or alleged violation of law to the extent caused by Customer's breach of this Agreement or by any negligent act, negligent omission or willful misconduct of the Customer or its employees, agents or contractors in the performance of this Agreement or Customer's use, operation or possession of any equipment furnished by the Company.

Neither party shall be liable to the other for consequential, incidental or punitive damages arising out of the performance of this Agreement except for third party claims related to violations of law.

10. UNCONTROLLABLE CIRCUMSTANCES. Except for the obligation to make payments hereunder, neither party shall be in default for its failure to perform or delay in performance caused by events beyond its reasonable control, including, but not limited to, strikes, riots, imposition of laws or governmental orders, fires, acts of God, and inability to obtain equipment, permit changes and regulations, restrictions (including land use) therein, and the affected party shall be excused from performance during the occurrence of such events.

11. RECYCLING SERVICES. The following shall apply to fiber and non-fiber recyclables ("Recyclable Materials") and recycling services:

(a) (i) Single stream Recyclable Materials ("Single Stream") will consist of Customer's entire volume of clean, dry, paper or cardboard without wax liners; clean, dry and empty aluminum food and beverage containers, ferrous (iron) or steel cans, aerosol cans, and rigid container plastics #1-7, including narrow neck containers and tubs. Any material not specifically set forth above, including but not limited to foam, film plastics, plastic bags, and tissue or paper that had been in contact with food, is unacceptable ("Unacceptable Materials"), provided that glass may be included in Single Stream with specific written approval of Company. Single Stream may not contain any Unacceptable Materials. (ii) Customer shall provide source-separated wastepaper, cardboard, plastics and metals in accordance with the most current ISRI Scrap Specifications Circular and any amendments thereto or replacements thereof. (iii) All other Recyclable Materials will be delivered in accordance with industry standards or such specifications communicated to Customer by Company from time-to-time. (iv) Company reserves the right, upon notice to Customer, to discontinue acceptance of any category of Recyclable Materials as a result of market conditions related to such materials and makes no representations as to the recyclability of the materials which are subject to this Agreement.

(b) Recyclable Materials may not contain Nonconforming Waste or other materials that are deleterious or capable of causing material damage to any part of Company's property, its personnel or the public or materially impair the strength or the durability of Company's structures or equipment.

(c) Company may reject in whole or in part, or may process, in its sole discretion, Recyclable Materials not meeting the specifications, and Customer shall pay and reimburse Company for all costs, losses and expenses incurred with respect to such non-conforming Recyclable Materials including costs for handling, processing, transporting and/or disposing of such non-conforming Recyclable Materials which charges may include an amount for Company's operating or profit margin. Without limiting the foregoing, Company may assess and Customer shall pay a contamination charge for additional handling, processing, transporting and/or disposing of Unacceptable Materials, Nonconforming Waste, and/or all or part of non-conforming loads. In the event costs of processing recyclables exceeds the commodity value, a recyclable material offset will be charged per ton.

12. ASSIGNMENT & SUBCONTRACTING. This Agreement shall be binding on and shall inure to the benefit of the parties and their respective successors and assigns. Customer acknowledges and agrees that the Company may utilize unaffiliated subcontractors that are not affiliates of Company to provide the Services to Customer.

13. ENTIRE AGREEMENT. This Agreement and its exhibits and attachments represent the entire understanding and agreement between the parties relating to the Services and supersedes any and all prior agreements, whether written or oral, between the parties regarding the same; provided that, the terms of any national service agreement or lease agreement for compactors or specially equipment between the parties shall govern over any inconsistent terms herein.

14. TERMINATION; LIQUIDATED DAMAGES. Company may immediately terminate this Agreement, (a) in the event of Customer's breach of any term or provision of this Agreement, including failure to pay on a timely basis, or (b) if Customer becomes insolvent, the subject of an order for relief in bankruptcy, receivership, reorganization dissolution, or similar law, or makes an assignment for the benefit of its creditors or if Company deems itself insecure as to payment ("Default"). Notice of termination shall be in writing and deemed given when delivered in person or by certified mail, postage prepaid, return receipt requested. In the event Customer terminates this Agreement prior to the expiration of the Initial or Renewal Term ("Term") for any reason other than as set forth in Section 3, or in the event Company terminates this Agreement for Customer's default, Customer shall pay the following liquidated damages in addition to the Company's legal fees, if any: (a) if the remaining Term (including any applicable Renewal Term) under this Agreement is six (6) or more months, Customer shall pay the average of its six (6) most recent monthly Charges (or, if the Effective Date is within six (6) months of Company's last invoice date, the average of all monthly Charges) multiplied by six (6); or (b) if the remaining Term under this Agreement is less than six (6) months, Customer shall pay the average of its six (6) most recent monthly Charges multiplied by the number of months remaining in the Term. Customer shall pay liquidated damages of \$100 for every Customer waste tire that is found at the disposal facility. Customer acknowledges that the actual damage to Company in the event of termination is impractical or extremely difficult to fix or prove, and the foregoing liquidated damages amount is reasonable and commensurate with the anticipated loss to Company resulting from such termination and is an agreed upon charge and is not imposed as a penalty. Collection of liquidated damages by Company shall be in addition to any rights or remedies available to Company under this Agreement or at law. In addition to and not in limitation of the foregoing, Company shall be entitled to recover all losses, damages and costs, including attorneys' fees and costs, resulting from Customer's breach of any other provision of this Agreement in addition to all other remedies available at law or in equity.

15. EQUIPMENT. All equipment furnished by Company shall remain its property; however Customer shall have care, custody and control of the equipment and shall be liable for all loss or damage to the equipment and for its contents while at Customer's service location(s). Customer will not overload, move or alter the equipment, or allow a third party to do so, and shall use it only for its intended purpose. At the termination of this Agreement, Company's equipment shall be in the condition in which it was provided, normal wear and tear excepted. Customer shall provide safe and unobstructed access to the equipment on the scheduled collection day. Company may suspend Services or terminate this Agreement in the event Customer violates any of the requirements of this provision. Customer shall pay, if charged by Company, any additional Charges, determined by Company in its sole discretion, for overloading, moving or altering the equipment or allowing a third party to do so, and for any service modifications caused by or resulting from Customer's failure to provide access. Customer warrants that Customer's property is sufficient to bear the weight of Company's equipment and vehicles and agrees that Company shall not be responsible for any damage to Customer's pavement or any other surface resulting from the equipment or Services.

16. CONFIDENTIALITY. Except as required by law, the parties agree that the rates set forth on Exhibit A, a Confirmation Letter, including any adjustments thereto, and any other pricing information shall be considered confidential and shall not be disclosed to third parties without the other party's written approval.

17. MISCELLANEOUS. (a) The prevailing party will be entitled to recover reasonable fees and court costs, including attorneys' and expert fees, in enforcing this Agreement. In the event Customer fails to pay Company all amounts due hereunder, Company will be entitled to collect all reasonable collection costs or expenses, including reasonable attorneys' and expert fees, court costs or handling fees for returned checks from Customer; (b) The validity, interpretation and performance of this Agreement shall be construed in accordance with the law of the state in which the Services are performed; (c) If any provision of this Agreement is declared invalid or unenforceable, then such provision shall be deemed severable from and shall not affect the remainder of this Agreement, which shall remain in full force and effect; (d) Customer's payment obligation for Services and the Warranties and Indemnification made by each party shall survive termination of this Agreement.



F. COMMENTS

☐ See Attached

- The Company reserves the right to refuse any load or discontinue any waste stream should such waste pose a threat to human health or safety, prove to be operationally challenging, or is in violation of any Company permit.
- All loads must be accompanied by proper shipping paper.
- If the Company received authorization to make changes to your waste profile during the approval process, your acceptance and execution of this Exhibit A confirms the accuracy of the changes.
- If WM (or a WM contracted hauler) is not providing the transportation services, you must ensure that the transporter is licensed and approved to haul the applicable Special Waste and/or Hazardous Waste. All third-party transporters must comply with WM safety requirements and procedures (including without limitation, wearing a hard hat, safety glasses, steel-toe boots, and safety vest). If transporting to a Chemical WM facility, a Tyvek suit and respirator are also required. Please review and abide by safety information by visiting WMSolutions.com/safety.
- Prices quoted herein are valid for 30 days. Unless WM is hired for this project prior to the expiration of this 30 day period in which case pricing remains valid in accordance with the terms of the Service Agreement.
- Pricing is based on the information provided on your profile and the representative data previously submitted. Charges incurred for additional services not listed above will be subject to standard rates and, payment of the invoice represents mutual agreement of those charges.
- The Energy Surcharge percentage can fluctuate on a weekly basis; please see www.wm.com/esc for more information on the Energy Surcharge and its calculation and historical values. The actual percentage rate applied to the total project invoice will be determined on the date each load is received.
- Please see profile approval form for special handling instructions. Additional special terms and conditions may be defined on your original quotation.

The work contemplated by this Exhibit A is to be done in accordance with the terms and conditions of the Industrial Waste & Disposal Services Agreement or other contractual agreement between the parties dated: 06/27/2024

YOUR ACCEPTANCE OF THESE TERMS CREATES A BINDING AGREEMENT AS FOLLOWS: (I) TYPE OR SIGN YOUR NAME AND TITLE WHERE INDICATED BELOW OR (II) YOUR TENDER OR DELIVERY TO COMPANY OF THE INDUSTRIAL WASTE DESCRIBED IN THE COMPANY APPROVED PROFILE SHEET AND (IF APPLICABLE) CONFIRMATION LETTER SHALL CONSTITUTE YOUR ACCEPTANCE OF THESE TERMS WITHOUT YOUR SIGNATURE.

COMPANY

By: _____ Date: _____
Name: _____
Title: _____

CUSTOMER

Signature: _____ Date: _____
Name: _____
Title: _____



Requested Facility: Cedar Ridge Landfill ☐ Unsure Profile Number: 110020TN
☐ Multiple Generator Locations (Attach Locations) ☐ Request Certificate of Disposal ☐ Renewal? Original Profile Number: _____

A. GENERATOR INFORMATION (MATERIAL ORIGIN)

- Generator Name: City of Columbia Public Works
- Generator Site Address: 4616 HARDISON MILL RD
(City, State, ZIP) COLUMBIA TN 38401
- County: Marshall
- Contact Name: Jeff DeWire
- Email: jdewire@columbiatn.com
- Phone: (931) 797-5831 7. Fax: _____
- Generator EPA ID: _____ ☒ N/A
- State ID: _____ ☒ N/A

C. MATERIAL INFORMATION

- Common Name: Ground up Vegetation
Describe Process(es) Generating Material: ☐ See Attached
ground up vegetation from clean tornado storm debris
- Material Composition and Contaminants: ☐ See Attached

1. <u>Ground up Vegetation</u>	<u>100 %</u>
2. _____	_____
3. _____	_____
4. _____	_____
Total comp. must be equal to or greater than 100%	<u>≥100%</u>
- State Waste Codes: _____ ☒ N/A
- Color: Varies
- Physical State at 70°F: ☒ Solid ☐ Liquid ☐ Other: _____
- Free Liquid Range Percentage: _____ to _____ ☒ N/A
- pH: _____ to _____ ☒ N/A
- Strong Odor: ☐ Yes ☒ No Describe: _____
- Flash Point: ☐ <140°F ☐ 140°–199°F ☐ ≥200° ☒ N/A

E. ANALYTICAL AND OTHER REPRESENTATIVE INFORMATION

- Analytical attached ☐ Yes
Please identify Lab Report(s) and list specific representative Sample ID#s:
- Other information attached (such as SDS)? ☐ Yes

G. GENERATOR CERTIFICATION (PLEASE READ AND CERTIFY BY SIGNATURE)

By signing this Waste Management ("WM") Profile, I hereby certify that all information submitted in this and all attached documents contain true and accurate descriptions of this material, and that all relevant information necessary for proper material characterization and to identify known and suspected hazards has been provided. Any analytical data attached was derived from a sample that is representative as defined in 40 CFR 261 - Appendix 1 or by using an equivalent method. All changes occurring in the character of the material (i.e., changes in the process or new analytical) will be identified by the Generator and be disclosed to WM prior to providing the material to WM. I am aware that there are significant penalties for knowingly submitting false information.

- ☐ I am authorized to sign on behalf of the Generator and I have confirmed with the Generator that information contained in this profile, as well as supporting documents provided, are accurate and complete.
- ☒ I am a duly authorized employee of Generator holding a position of technical responsibility with direct knowledge of the waste stream and the information contained in this profile, and I confirm that information contained in this profile, as well as supporting documents are accurate and complete.

QUESTIONS? CALL 800 963 4776 FOR ASSISTANCE

B. BILLING INFORMATION☒ SAME AS GENERATOR

- Billing Name: City Of Columbia Public Works
- Billing Address: 110 Santa Fe Pike
(City, State, ZIP) Columbia TN 38401
- Contact Name: Jeff DeWire
- Email: jdewire@columbiatn.com
- Phone: (931) 797-5831 6. Fax: _____
- P.O. Number: _____
- Payment Method: ☒ Credit Account ☐ Cash ☐ Credit Card at Gate

D. REGULATORY INFORMATION

- EPA Hazardous Waste? ☐ Yes* ☒ No
Code: _____
- State Hazardous Waste? ☐ Yes ☒ No
Code: _____
- Is this material non-hazardous due to Treatment, Delisting, or an Exclusion? ☐ Yes* ☒ No
- Contains Underlying Hazardous Constituents? ☐ Yes* ☒ No
- Does the material contain benzene? ☐ Yes* ☒ No
- Facility remediation subject to 40 CFR 63 GGGGG? ☐ Yes* ☒ No
- CERCLA or State-mandated clean-up? ☐ Yes* ☒ No
- NRC, State-regulated, NORM or TENORM waste? ☐ Yes* ☒ No

***If Yes, see Addendum (page 2) for additional questions and space.**

- Contains PCBs? → If Yes, answer a, b and c. ☐ Yes ☒ No
 - Regulated by 40 CFR 761? ☐ Yes ☐ No
 - Remediation under 40 CFR 761.61? ☐ Yes ☐ No
 - Were PCBs imported into the US? ☐ Yes ☐ No
- Regulated and/or Untreated Medical/Infectious Waste? ☐ Yes ☒ No
- Contains Asbestos? ☐ Yes ☒ No
→ If Yes: ☐ Non-Friable ☐ Non-Friable - Regulated ☐ Friable
- Contains Dioxins? (If Yes, please attach analysis) ☐ Yes ☒ No

F. SHIPPING AND DOT INFORMATION

- ☒ One-Time Event ☐ Repeat Event/Ongoing Business
- Estimated Annual Quantity/Unit of Measure: 5000
☒ Tons ☐ Yards ☐ Drums ☐ Gallons ☐ Other _____
- Container Type and Size: _____
- USDOT Proper Shipping Name ☒ N/A
- Estimated Start Date 06/28/2024
- Transportation Needed? ☐ Yes* ☒ No

Name (Print): _____

Title: _____

Company: _____

Date: _____

Certification Signature



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Lauryn Shockey; Administrative Assistant, lshockey@columbiatn.com, 931-560-1529

AGENDA ITEM TITLE: APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH NUBER ARCHITECTURE LLC FOR REROOF RETROFIT FOR ALLEY BETWEEN SQUARE MARKET AND THE MANN BUILDING IN THE AMOUNT OF \$4,365. PROJECT ID NO. 2024018 - DEVELOPMENT SERVICES

RECOMMENDATION: Approve.

INFORMATION: The City of Columbia investigated a failed membrane roofing system causing a safety hazard to the public. The above listed project will address the failed system and constitute a roof replacement for the alley between Sqaure Market and the Mann Building. The agreement totals \$4,365.

CERTIFICATION: The Chief Financial Officer certifies that \$4,365 will be proposed to be budgeted and unencumbered via Appropriation Amendment No. 1 in Capital Projects-General Government - Professional Services.

ATTACHMENTS: Nuber Staff Report; Professional Services Agrrement, Nuber Architecture

AGREEMENT BETWEEN OWNER AND ARCHITECT

Made of the **8th day of July** in the year **two thousand twenty-four**
BETWEEN the Architect's client identified as the Owner:

City of Columbia
700 North Garden Street
Columbia, TN 38401

and the Architect:

Nuber Architecture LLC
1069 Rolling Fields Circle
Columbia, Tennessee 38401

for the Project listed below:

REROOF RETROFIT FOR ALLEY BETWEEN SQUARE MARKET AND THE MANN BUILDING for the City of Columbia, Columbia, Tennessee, Project #2024018

The above listed project will constitute a roof replacement for the above reference location just off the Columbia square and west of Square Market Cafe in Columbia, Tennessee. A copy of an initial investigation has been attached to this agreement as an understanding of the work scope and to describe the existing conditions that have been determined. The scope of work will involve the complete tear off of an existing failed membrane roofing system. The proposed roof design will constitute a new Thermoplastic Polyolefin (TPO) roofing system over new tapered insulation boards to be best determined after field measuring existing conditions. At the existing low roof point, a new gutter and down spout design will be detailed by the Architect. The Architect will provide details sufficient to describe the scope of work and will provide additional services as outlined in this agreement below. Additional information is as stated in the following section I of this agreement.

I. INITIAL PROJECT INFORMATION

- I.1. This Agreement is based on the information stated below and assumptions made prior to executing the project documents.
- I.2. The minimum insulation board thickness will be 1 1/2" at the low point of the roof. The roof slope for the project will be tapered at 1/4" rise per foot of travel unless existing conditions would warrant 1/8"=1'-0" which would be the minimum roof slope. Perimeter roof design will involve termination bars and cant strips.
- I.3. The initial time parameters have been established such that the project bid documents will be completed within 15 business days from the signing of this agreement unless unforeseeable circumstances would change this time estimate. No other commitments for time have been determined by mutual agreement at the date of this contract.
- I.4. Certificates of liability insurance can be mailed to the Owner following the signing of this agreement if requested.
- I.5. The financial parameters for the cost of construction will be by bid method as required of governmental agencies. It is understood that the Owner will manage this project through the Architect. It is also understood that no official cost estimating will have been performed prior to

initiating construction documents, and that construction documents will proceed based on an effective and efficient design as required to serve the purpose of this project's directive.

- I.6. This project may still require other planning and variance reviews by local authorities for final approval of the design concept. The final design will be forwarded to the respective authorities for additional comment and/or revision.
- I.7. The scope of work will facilitate that the Architect prepare a brief specification handbook with construction detailing sufficient to describe the scope intent.
- I.8. As this project may have unknown or hidden conditions not detected in the investigative part of this work scope, the Owner should be prepared for potential change orders. Although every effort will be made to prevent such from occurring, the Architect can not be held responsible if such conditions are discovered, but will make every effort to modify the drawings within the fixed fee amount if such changes are not too extensive at no additional charge. This excludes any structural remedial work which would require additional professional services to correct the defects.
- I.9. The Architect has included services to provide a reflected ceiling plan and include specifications for repairing and repainting of the alley ceiling connector. This agreement presumes that the Owner will be engaging a testing agency prior to completion of the construction documents to ascertain any asbestos testing and removal that will impact costs by the Contractor performing the reroof and painting work. This report will assist the Architect in preparing drawings and specifications that will be established for the bid procurement process.

II. PROJECT TEAM

- 2.1 The Owner's Designated Representative is:

Mr. Tony Massey, City Manager
City of Columbia
700 North Garden Street
Columbia, TN 38401

- 2.2 The persons or entities, in addition to the Owner's Designated Representative, who are required to review the architect's submittals to the Owner are employees of the city of Columbia engineering department and will be designated by Mr. Massey on an as needed basis.

- 2.3 The Architect's Designated Representative is:

Mr. George Nuber
Nuber Architecture LLC
1069 Rolling Fields Circle
Columbia, Tennessee 38401

- 2.4 The Consultants retained at the Architect's expense are:

CIVIL ENGINEERING (NOT APPLICABLE)

STRUCTURAL ENGINEERING (NOT APPLICABLE)

ELECTRICAL ENGINEERING (NOT APPLICABLE)

III. COMPENSATION

- 3.1 For the services described under Section I and Terms and Conditions, compensations shall be computed as follows:

The above work shall be completed for a fixed fee of four thousand six hundred thirty-five (\$4,635.00) dollars. The fixed fee will include up to three visits by the Architect, visits to the site for information collection as needed, cost of producing the documents, travel, construction observation and administration by the Architect, mileage and miscellaneous expenses are also included, three (3) final sets of contract documents and (1) set of reproducible stamped originals. Originals will be held at the Architect's office for future printing requests. As a courtesy to the Owner, the Architect will also provide PDF's of all the construction documents. Additional reasonable reimbursement due to change orders varying the scope of work from the approved design plans will be payable as discussed in the initial scope of work.

Additional information for compensation is stated in the Terms and Conditions of this Agreement.

Representative,

CITY OF COLUMBIA

Charles (Chaz) M. Mader, Mayor
Printed Name and Title


Representative Signature

7/10/24
Date

Nuber Architecture, LLC

GEORGE NUBER, President
Printed Name and Title


Representative Signature

July 8th, 2024
Date

Approved as to Legal Form:

C. Tim Tisher, City Attorney

TERMS AND CONDITIONS

I. ACCESS TO THE SITE/JOB SITE SAFETY:

Unless otherwise stated, Nuber Architecture, LLC and its consultants, hereinafter referred to as the Consultant, will have access to the site for activities necessary for the performance of the services. The Consultant will take precautions to minimize damage resulting from these activities, but has not included in the project fee the cost of restoration of any resulting damage.

The Consultant has not been retained or compensated to provide design and construction observation services relating to the Contractor's safety precautions or to means, methods, techniques, sequences or procedures for the Contractor to perform his work. The Client understands that the Consultant is not responsible, in any way, for the means, methods, techniques, sequences, procedures, or scheduling of construction, or for job site safety. The Consultant will not be responsible for any losses or injuries that occur at the Project Site.

II. INDEMNIFICATION:

The Consultant agrees, to the fullest extent permitted by law, to indemnify and hold the Owner (hereafter referenced as the Client) harmless from any damage, liability or cost (including reasonable attorney's fees and costs of defense) to the extent caused by the Consultant's negligent acts, errors, or omissions in the performance of professional services under this Agreement and those of his or her sub-consultants (or anyone for whom the Consultant is legally liable).

The Client agrees to the fullest extent permitted by law, to indemnify and hold the Consultant harmless from any damage, liability or cost (including reasonable attorney's costs of defense) to the extent caused by the Client's negligent acts, errors or omissions and those of his or her contractors, subcontractors or consultants (or anyone for whom the Client is legally liable).

The Consultant is not obligated to indemnify the Client in any manner whatsoever for the Client's own negligence.

III. INSURANCE:

The Consultant shall secure and will maintain such insurance as will protect the Client from claims of negligence, bodily injury, death, or property damage that may arise out of the performance of the Consultant's services under this agreement.

IV. RISK ALLOCATION/LIMITATION OF LIABILITY:

In recognition of the relative risks, rewards, and benefits of the Project to both the Client and the Consultant, the risks have been allocated such that the Client agrees that, to the fullest extent permitted by law, the Consultant's total liability to the Client for any and all injuries, claims, losses, expenses, damages, or claims expenses (including attorney's fees), arising out of this Agreement, from any cause or causes, shall not exceed the total amount of the Consultant's fee or twenty-five thousand (\$25,000.00) dollars, whichever is greater, for any claim arising out of the Consultant's negligence.

V. TERMINATION OF SERVICES:

This Agreement may be terminated by the Client or by the Consultant upon not less than seven days written notice should the other party fail to substantially perform in accordance with the terms of this Agreement through no fault of the party initiating termination. If this Agreement is terminated by the Client, the Consultant shall be paid for services performed to the termination notice date. Should the Consultant's services be terminated through no fault or failure to faithfully & competently perform the services agreed to, the following is applicable:

- A. The Client may terminate this agreement if, through inability to fund the project, the Client can no longer continue with the project.
- B. The Client understands that the design is copyrighted & will not be transferred to another Consultant unless agreed upon in writing or death of the original Consultant has occurred.

VI. REIMBURSABLE EXPENSES

Reimbursable expenses include actual expenditures made by the Consultant, his employees, or his Sub-Consultants on behalf of the Project. Reimbursable expenses include, but are not necessarily limited to, the following: (a) fees paid for testing and/or for securing approval of authorities having jurisdiction over the Project; (b) expenses of printing, reproduction, postage and handling of drawings and specifications above the allotted three (3) final sets the Consultant will provide in the Project (The Consultant will include all

Initial 

preliminary prints and postage under the normal agreement. Special requests for advanced plots will be at an extra charge); (c) expenses related to Sub-Consultants and specialists when authorized by the Client; (d) expenses related to special travel arrangements for visiting other projects, lodging, and special meetings not normally included in the Project but requested by the Client; (e) authorized requests by the Client for mounted drawings, special printing, renderings, models, etc. Reimbursable expenses shall be billed as a multiple of 1.1 times the cost incurred by the Consultant.

Included expenses under this agreement are the following: (a) long distance calls related specifically to the Project; (b) transportation expenses related to the Project; (c) preliminary plots and reproduction expenses as part of the normal development of the design (Changes in scope of work will be at an extra charge); (d) overnight mail for schematic, final approval, and delivery of Client review and/or permitting by the authority having jurisdiction.

VII. DISPUTE RESOLUTION

All claims, counterclaims, disputes, and other matters in question between the parties hereto arising out of or relating to this Agreement or breach thereof shall be presented to non-binding mediation, subject to the parties agreeing to a mediator.

VIII. OWNERSHIP OF DOCUMENTS:

It is understood by and between the parties to this Agreement that all drawings, specifications and other work products of the Consultant for this Project shall remain the property of the Consultant and are instruments of the service for this Project only. Any reuse of the instruments of service of the Consultant is by the Client's sole risk, and the Client agrees to defend, indemnify and hold harmless the Consultant from all claims, damages and expenses (including attorney's fees), of any unauthorized reuse of the Consultant's instruments of service by the client or by others acting through or on behalf of the Client. Any reuse or adaption of the Consultant's instruments of service on other projects shall entitle the Consultant to additional compensation in an amount to be agreed upon by the Client and the Consultant.

IX. GOVERNING LAW:

Unless otherwise specified within this Agreement, this Agreement shall be governed by the law of the State of Tennessee. In the event any provisions of this Agreement shall be held to be invalid and unenforceable, the remaining provisions shall be valid and binding upon the parties. One or more waivers by either party of any provisions, terms, conditions, or covenant shall not be constructed by the other party as a waiver of a subsequent breach of the same by the other party.

X. BILLINGS AND PAYMENTS:

Invoices for services shall be submitted, at Consultants option, either upon completion of such services or on a monthly basis, unless otherwise stated. Invoices are due when rendered and shall be considered past due if not paid within thirty (30) days after issue date. If the invoice is not paid within thirty (30) days, Consultants may, without waiving claims or right against Client, and without liability whatsoever to the Client, terminate the performance of services. Retainers or initial payments shall be credited on final invoices.

XI. LATE PAYMENTS

Unpaid accounts may be subject to a monthly service charge of 1.5% of the then unpaid balance (18.0% true annual rate), at the sole discretion of the Consultant. In the event the account or any portion thereof remains unpaid sixty (60) days after billing, the Client shall pay all costs of collection, including reasonable attorney's fees.

XII. CLIENT'S RESPONSIBILITIES:

The Client shall designate a person to act with authority on his behalf in respect to all aspects of the Project, shall examine and respond promptly to Consultant's submissions, and shall give prompt written notice to the Consultant whenever he observes or otherwise becomes aware of any defect in or problem with the Project.

The Client shall also provide to the Consultant all criteria and full information as to his requirements for the Project, and shall:

Guarantee access to and make all provisions for the Consultant to enter upon public and private properties as necessary to accomplish work;

Provide such legal, accounting, independent cost estimating, and insurance counseling services as may be required for the Project.

Furnish approvals and permits from all governmental authorities and/or agencies having jurisdiction over the Project.

Initial 

Provide the Consultant with escorts and means of access to all areas of the Project; this being necessary for the orderly progress of the work. The Consultant shall be entitled to rely upon the efficiency and completeness thereof; and compensate the Consultant for services rendered under this Agreement and pay all costs incidental to Client furnished items.

XIII. EXTENT OF RESPONSIBILITIES:

This Agreement represents the entire and integrated Agreement between the Client and the Consultant and supersedes all prior negotiations, or agreements, either written or oral. This Agreement may be amended only by written instruments signed by both the Client and the Consultant.

The Consultant intends to render services under the terms of this Agreement in accordance with generally accepted professional practices consistent with the intended use of the Project and makes no warranty either expressed or implied.

Any *opinion of construction* cost prepared by the Consultant represents his judgement as a design professional and is supplied for the general guidance of the Client. Since the Consultant has no control over the cost of labor and material, competitive bidding, or market conditions, the Consultant does not guarantee the accuracy of such opinions as compared to Contractor bids or actual cost to the Client.

XIV. CHANGES IN THE SCOPE OF SERVICES:

The Client may request changes in the *Scope of Services* of the Agreement to be performed hereunder. Such changes, including any increase or decrease in the amount of the Consultant's compensation, which are mutually agreed upon by and between the Client and the Consultant, shall be incorporated into this Agreement by written amendment. Any changes made to the construction documents by the Client, or by the Client's representative's, are strictly prohibited without the knowledge and written consent of the Consultant. The Consultant shall be released from any liability resulting from damages, injuries, and/or death resulting from the unauthorized alteration of construction documents.

XV. EXISTING AND/OR HIDDEN CONDITIONS:

A condition is hidden if it is concealed by existing finishes or features or if it cannot be investigated by reasonable visual observation. If the Consultant has reason to believe that such a condition may exist, the Consultant will notify the Client who then shall authorize and pay for all costs associated with the investigation of such a condition and, if necessary, all costs necessary to correct said condition. If (1) the Client fails to authorize such investigation to correction after due notification, or (2) the Consultant has no reason to believe that such a condition exists, the Client is responsible for all risks associated with this condition, and the Consultant shall not be responsible for the existing condition nor any resulting damages to persons or property. Further, the Consultant will not be required to execute any document that would result in certifying, guaranteeing or warranting the existence of conditions the Consultant cannot reasonably ascertain.

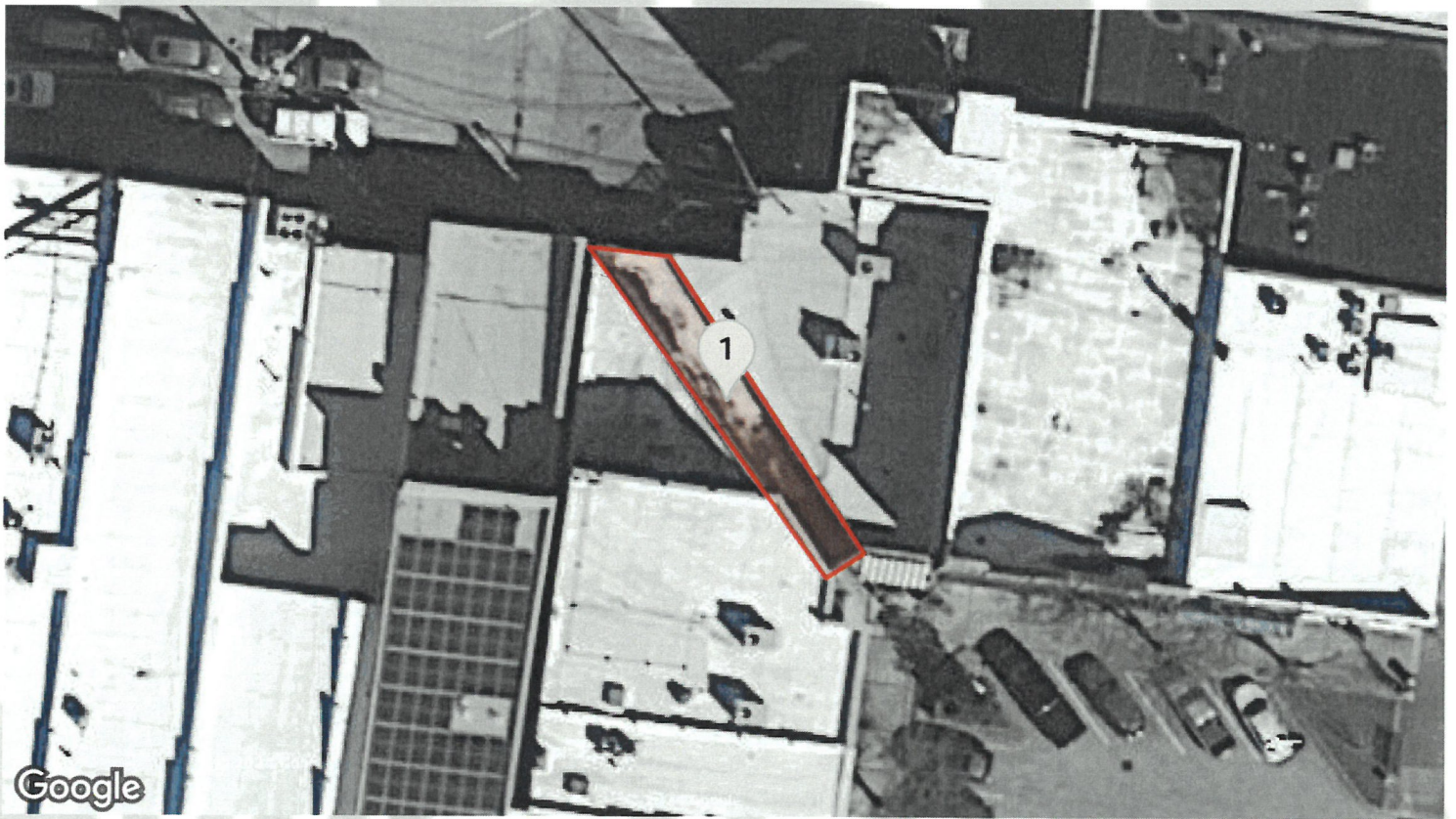
XVI. BETTERMENT:

If, due to the Design Professional's error, any required item or component of the project is omitted from the Design Professional's construction documents, the Design Professional shall not be responsible for paying the cost to add such item or component to the extent that such item or component would have been otherwise necessary to the project or otherwise adds value or betterment to the project. In no event will the Design Professional be responsible for any cost or expense that provides betterment, upgrade or enhancement of the project.

END OF TERMS AND CONDITIONS



Inspection Report



Prepared For:

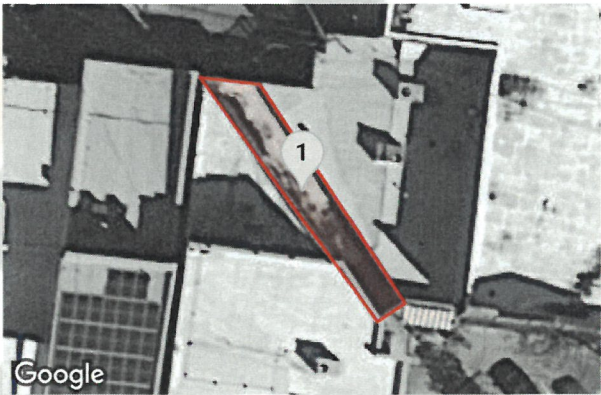
City of Columbia
Connector roof between Square Market and the space adjacent to it
1 Public Square
Columbia, TN 38401

City of Columbia
Connector roof between Square Market and the space adjacent to it
1 Public Square
Columbia, TN 38401



Site Overview

Total Sections: 1
Total Sq/Ft: 640



Map	Section Name	Sq/Ft	Grade
1	Section 1	640	

ROOF SYSTEMS
INCORPORATED

City of Columbia
Connector roof between Square Market and the space adjacent to it
1 Public Square
Columbia, TN 38401



Composition

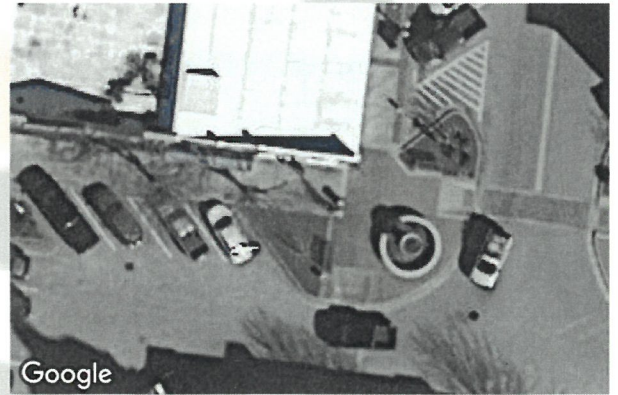
Section: Section 1

Size: 640

Overall Grade:

Inspection Date: 05/29/2024

Inspected By: Pete Coggin



ROOF SYSTEMS
INCORPORATED

City of Columbia
Connector roof between Square Market and the space adjacent to it
1 Public Square
Columbia, TN 38401



Section Overview

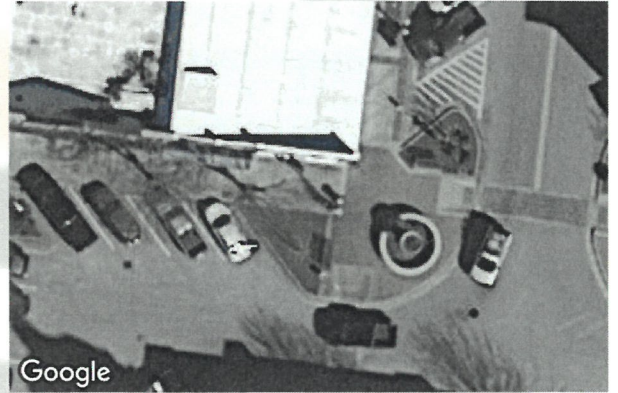
Section: Section 1

Size: 640

Overall Grade:

Inspection Date: 05/29/2024

Inspected By: Pete Coggin



SYSTEMS
INCORPORATED

City of Columbia
Connector roof between Square Market and the space adjacent to it
1 Public Square
Columbia, TN 38401



Observations

Section: Section 1

Size: 640

Overall Grade:

Inspection Date: 05/29/2024

Inspected By: Pete Coggin



ROOF SYSTEMS
INCORPORATED

City of Columbia
Connector roof between Square Market and the space adjacent to it
1 Public Square
Columbia, TN 38401



Deficiencies

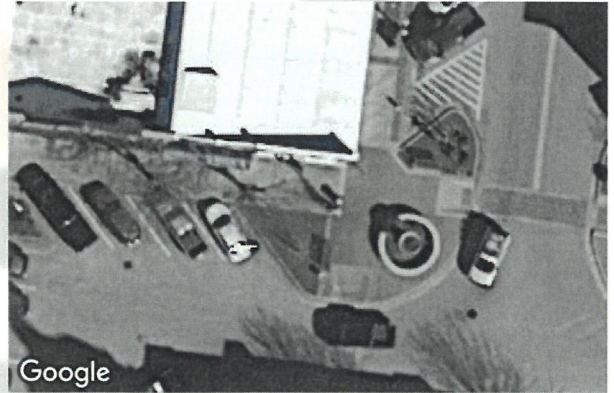
Section: Section 1

Size: 640

Overall Grade:

Inspection Date: 05/29/2024

Inspected By: Pete Coggin



**Membrane - Alligatoring (replace membrane)
(Emergency)**

Quantity: 20 EA

Deficiency:

Alligatoring occurs when the UV rays of the sun and the heat stresses break down the protective layers of the membrane, cracks begin to appear on the surface.

Corrective Action:

Cut out and remove affected area and apply new membrane per manufacturers specifications.

ROOF SYSTEMS
INCORPORATED

Deficiencies

Section: Section 1

Size: 640

Overall Grade:

Inspection Date: 05/29/2024

Inspected By: Pete Coggin



2

Membrane - Ponding Water Conditions

Quantity: 560 SF

Deficiency:

A ponding water condition is typically due to a flaw in how the original roof was designed to flow to drains or the underlying insulation has collapsed due to age or weight and created a low lying area on the roof which is now holding water.

Corrective Action:

A ponding water condition is best corrected during a re-roof project. Outside of removing the existing insulation and starting with a new roof design, ponding water is difficult to correct.



3

Other (Emergency)

Quantity: 1 Ea

Deficiency:

Abandoned penetration through wall not sealed

Corrective Action:

Remove penetration and seal wall to prevent water intrusion

City of Columbia
Connector roof between Square Market and the space adjacent to it
1 Public Square
Columbia, TN 38401



Summary

Section: Section 1
Size: 640
Overall Grade:
Inspection Date: 05/29/2024
Inspected By: Pete Coggin



Condition Summary

Membrane: F
Flashings: F
Sheet Metal:

Overall:
Estimated Replace:

- A Roof is "New" or in "Like New" condition. Continue to monitor and maintain.
- B Roof is "Good" condition. General repairs may be required and a maintenance program may minimize unnecessary leaks
- C Roof is in "Fair" condition. The roof is beginning to show age-related deficiencies, or is a newer roof that is not performing as expected. A maintenance program may help prevent unnecessary leaks and minimize repair costs.
- D Roof is in "Poor" condition and is nearing the end of its useful life. Repairs could help reduce unexpected leaks, depending on the severity.
- F Roof has failed. The roof has exceeded its expected service life. While it may be possible to address active leaks, it should be assumed that leaks will continue to develop.

Recommendations:
After performing a roof inspection, it is recommended the roof be replaced and tapered insulation installed to allow proper drainage.

ROOF SYSTEMS
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City of Columbia
Connector roof between Square Market and the space adjacent to it
1 Public Square
Columbia, TN 38401



Description	Amount
-------------	--------

_____ Emergency	\$0.00
-----------------	--------

_____ Proactive	\$0.00
-----------------	--------

Terms and Conditions

Payment is due upon completion of work unless specified in another agreement. An invoice will be sent with documentation of work performed.

Work Authorization

I hereby authorize the work indicated in this document. I understand the minimum cost per service work order is \$500.

Signature: _____ Date: _____

Printed Name: _____ PO#: _____



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Lauryn Shockey; administrative assistant, LShockey@columbiatn.gov, 931-560-1529

AGENDA ITEM TITLE: APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE AMENDMENT NO. 2 WITH TDOT FOR AGREEMENT NO. 200035, IRON BRIDGE ROAD, BRIDGE OVER LYTLE CREEK, LM 1.300 PROJECT ID NO. 130092.00 - DEVELOPMENT SERVICES

RECOMMENDATION: Approve

INFORMATION: Amendment No. 2 to the City of Columbia's contract with TDOT is requesting to extend the Project Completion date to on or before November 30, 2026. The funding is an 80/20 split between Federal (\$1,328,000) and local (\$332,000).

CERTIFICATION:

ATTACHMENTS: Amendment No. 2

Amendment Number: 2

Agreement Number: 200035

Project Identification Number: 130092.00

Federal Project Number: N/A

State Project Number: 60LPLM-F3-040

THIS AGREEMENT AMENDMENT is made and entered into this _____ day of _____, 20____ by and between the STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION, an agency of the State of Tennessee (hereinafter called the "Department") and the CITY OF COLUMBIA (hereinafter called the "Agency"), for the purpose of providing an understanding among the parties of their respective obligations related to the management of the project described as:

Iron Bridge Road, bridge over Lytle Creek, LM 1.300 in Columbia

1. The language of Agreement # 200035 dated January 13, 2021 Section B.2 a) is hereby deleted in its entirety.
2. The following is added as B.2 a) .

B.2 a) The Agency agrees to complete the herein assigned phases of the Project on or before **November 30, 2026**. If the Agency does not complete the herein described phases of the Project within this time period, this Agreement will expire on the last day of scheduled completion as provided in this paragraph unless an extension of the time period is requested by the Agency and granted in writing by the Department prior to the expiration of the Agreement. An extension of the term of this Agreement will be effected through an amendment to the Agreement. Expiration of this Agreement will be considered termination of the Project. The cost of any work performed after the expiration date of the Agreement will not be reimbursed by the Department.

All provisions of the original contract not expressly amended hereby shall remain in full force and effect.

Amendment to Change Completion Date

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective authorized officials on the date first above written.

CITY OF COLUMBIA

Signature:

Email: chaz.molder@columbiatn.com

**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

B.

Signature:

Email: TDOT.COMMISSIONER'S.Office@tn.gov

**APPROVED AS TO
FORM AND LEGALITY**

Signature: 

Email: ttisher@tflaw.com

**APPROVED AS TO
FORM AND LEGALITY**

B.

Signature:

Email: TDOT.Legal.Attorneys@tn.gov

E

Signature:

Email: Daniel.Pallme@tn.gov



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
LOCAL PROGRAMS & COMMUNITY INVESTMENTS DIVISION
SUITE 1000, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-1402
(615) 741-2208

BUTCH ELELY
DEPUTY GOVERNOR &
COMMISSIONER OF TRANSPORTATION

BILL LEE
GOVERNOR

July 9, 2024

The Honorable Chaz Molder
Mayor, City of Columbia
700 North Garden Street
Columbia, TN 38401

Re: Iron Bridge Road, bridge over Lytle Creek, LM 1.300 in Columbia
Columbia, Maury County
PIN: 130092.00
Federal Project Number: N/A
State Project Number: 60LPLM-F3-040
Agreement Number: 200035

Dear Mayor Molder:

I am attaching an amendment to the original contract to this letter. The amendment extends the expiration date of the contract. Please review the amendment and advise me if it requires further explanation. If you find the amendment satisfactory, please execute it in accordance with all rules, regulations, and laws. Adobe Sign will then forward the document for the signature of the attorney for your agency. Once the amendment is fully executed Adobe Sign will email you a link to the fully executed amendment.

If you have any questions or need any additional information, please contact Simchah Edwards at 615-741-0805 or simchah.edwards@tn.gov.

Sincerely,

Chasity M. Bell
Chasity M. Bell
Transportation Manager 1

Attachment



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Captain Josh Davis, Police Department

AGENDA ITEM TITLE: APPROVE SOLE SOURCE PROCUREMENT OF NINE (9) CAMERA SYSTEMS FROM MOTOROLA IN THE AMOUNT OF \$75,328.20

RECOMMENDATION: Approve.

INFORMATION: Today's law enforcement environment requires accountability and documentation of all actions taken by officers in the field. In an effort to fulfill this requirement, the department uses Motorola Solutions for both in-car(m500) and body camera systems(V700). It was determined that a system integrating both an in-car camera system with a body camera into a single video record of an enforcement event to be the best option for the City. These nine (9) cameras systems are the same make and model as purchased previously and they will integrate with our current hardware and software systems.

CERTIFICATION: The Chief Financial Officer certifies that \$75,329 is budgeted and unencumbered in Capital Projects-Patrol-Transportation Equipment.

ATTACHMENTS: Staff Report, Quote, Sole Source Letter.



COLUMBIA POLICE DEPT

(9) - M500/V700 Bundles

07/08/2024

07/08/2024

COLUMBIA POLICE DEPT
707 N MAIN ST
COLUMBIA, TN 38401

RE: Motorola Quote for (9) - M500/V700 Bundles
Dear Josh Davis,

Motorola Solutions is pleased to present COLUMBIA POLICE DEPT with this quote for quality communications equipment and services. The development of this quote provided us the opportunity to evaluate your requirements and propose a solution to best fulfill your communications needs.

This information is provided to assist you in your evaluation process. Our goal is to provide COLUMBIA POLICE DEPT with the best products and services available in the communications industry. Please direct any questions to Richard Carter at rickcarter@motorolasolutions.com.

We thank you for the opportunity to provide you with premier communications and look forward to your review and feedback regarding this quote.

Sincerely,

Richard Carter
Regional Sales Manager

Billing Address:
COLUMBIA POLICE DEPT
707 N MAIN ST
COLUMBIA, TN 38401
US

Shipping Address:
COLUMBIA POLICE DEPT
707 N MAIN ST
COLUMBIA, TN 38401
US

Quote Date:07/08/2024
Expiration Date:10/06/2024
Quote Created By:
Richard Carter
Regional Sales Manager
rickcarter@
motorolasolutions.com
6158045986

End Customer:
COLUMBIA POLICE DEPT
Josh Davis
jdavis@columbiatn.com
931.560.1659

Contract: 36874 - WATCHGUARD-
SOURCEWELL
Freight Terms:FREIGHT PREPAID
Payment Terms:30 NET

Line #	Item Number	Description	Qty	Term	Sale Price	Ext. Sale Price
	M500					
1	WGW00122-303	IN-CAR VIDEO SYSTEM CONFIGURATION SERVICE	9		\$166.40	\$1,497.60
2	WGB-0703A	M500 ICV SYSTEM, V300 WIFI DOCK, SPS	9		\$6,015.00	\$54,135.00
3	WGB-0189A	MTIK CONF KIT,802.11AC,M500POE,5GHZ ANT	9		\$328.00	\$2,952.00
4	WGP02225-102-KIT2	BRKT4RE DISP/BWC/CAMVR 15TAHOE/SILV KIT	9		Included	Included
	V700					
5	WGB-0740A	V700 BODY WORN CAMERA VERIZON READY	9		\$1,290.00	\$11,610.00
6	WGP02798-KIT	V700 MAGNETIC MOUNT WITH BWC BOX	9		Included	Included
7	LSV07I03510A	ESSENTIAL SOFTWARE SUPPORT AND HARDWARE REPAIR	9	3 YEAR	Included	Included



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.
Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	Term	Sale Price	Ext. Sale Price
8	SWV07S03593A	SOFTWARE ENHANCEMENTS	9	3 YEAR	Included	Included
9	WGW00122-302	BODY WORN CAMERA CONFIGURATION SERVICE	9		\$70.40	\$633.60
10	WGP02950	V700 BATTERY, 3.8V, 4180MAH, REMOVABLE	9		\$110.00	\$990.00
	VideoManager EL or EX: Video Evidence Management					
11	WGP02400-520	VIDEOMANAGER EL, BODY WORN CAMERA ANNUAL LICENSE & SUPPORT FEE*	9	1 YEAR	\$195.00	\$1,755.00
12	WGP02400-510	VIDEOMANAGER EL, IN-CAR VIDEO SYSTEM ANNUAL LICENSE & SUPPORT FEE	9	1 YEAR	\$195.00	\$1,755.00
Grand Total					\$75,328.20(USD)	



Pricing Summary

Payment Term		Upfront Sale Price	
Upfront Costs*			
		\$71,818.20	
Upfront Subscription Fee			
VideoManager EL or EX: Video Evidence Management	Annually	\$3,510.00	
Sub Total:		\$75,328.20	
Payment Term		Sale Price	Annual Sale Price
Year 2 Subscription Fee			
Year 3 Subscription Fee			
Sub Total:			\$0.00
Grand Total System Price (Inclusive of Upfront and Annual Costs)			\$75,328.20

*Upfront costs include the cost of Hardware, Accessories and Implementation, where applicable.

Notes:

- The Pricing Summary is a breakdown of costs and does not reflect the frequency at which you will be invoiced.
- Additional information is required for one or more items on the quote for an order.
- Device Maintenance and Support is required for EACH device at initial purchase. The subscription covers 24/7 phone support, new device firmware, and new VideoManager EL software versions, as the hardware allows. The subscription is paid annually
- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.
- Unless otherwise noted in this quote / order, installation of equipment is not included.



VIDEOMANAGER EL SOLUTION DESCRIPTION

VideoManager EL simplifies evidence management, automates data maintenance and facilitates management of your department's devices.

It is compatible with V300 and VISTA body-worn cameras, as well as M500 and 4RE in-car video systems, enabling you to upload video evidence quickly and securely.

The optional SmartControl and SmartConnect smart device applications support live video streaming from body-worn cameras, allowing personnel to view footage captured by the cameras in the app.



VIDEO EVIDENCE MANAGEMENT

VideoManager EL delivers benefits to all aspects of video evidence management. From streamlining the evidence review process to automatically maintaining your stored data, VideoManager EL makes evidence management as efficient as possible. With VideoManager EL, you minimize the amount of time spent manually managing evidence, allowing your team to spend more time in the field.

Simplified Evidence Review

VideoManager EL makes evidence review easier by allowing you to upload captured video and audio from your in-field devices, sharing important information that groups relevant evidence together. This information includes a recording's date and time, device used to capture, event ID, officer name and event type. Incidents recorded from several devices can be found easily and viewed at the same time, eliminating the task of reviewing irrelevant footage.

Its built-in media player includes a visual display of incident data, allowing you to view moments of interest, such as when lights, sirens or brakes were activated during the event timeline, status of cameras and microphones and patrol speed graph.

Other relevant files, such as PDFs, spreadsheets, reports, third-party videos, audio recordings, pictures, drawings and applicable external files can also be grouped together and stored under a specific case entry, allowing all pertinent information to be stored together in Evidence Library.

Easy Evidence Sharing

VideoManager EL empowers you to easily share information in the evidence review or judiciary sharing process by exporting evidence data. It is capable of searching for data using various criteria, including import, export, playback, download, share and modification dates, allowing users to quickly find relevant evidence.



Automatic Data Maintenance

VideoManager EL lets you automatically organize the evidence data you store, allowing you to save time that would be spent manually managing it. It can schedule the automatic movement or purging of events on any basis, based on how you want to configure the system.

Security groups and permissions are easily set up in VideoManager EL, allowing you to grant individuals access to evidence on an as-needed basis.

Integration with In-Car and Body-Worn Cameras

Officers on the road are able to automatically upload encrypted video from in-car systems and body cameras. This eliminates the need for trips to and from the station solely for uploading data into the system.

Video and audio captured by M500, V300, 4RE and VISTA camera systems are automatically linked in VideoManager EL based on time and location. You can then utilize synchronized playback and export of video and audio from multiple devices in the same recording group, where video and audio streams can be matched together.

Optional Live Video Streaming

VideoManager EL integrates with SmartControl, an optional mobile application for Android and iOS that allows officers to review video evidence from their smartphone or tablet while they're still in the field.

SmartControl also allows officers to categorize recordings using event tags, stream live video from and change camera settings, such as adjusting field of view, brightness, and audio levels.

SmartConnect, an optional smartphone application, provides VISTA body-worn camera users with immediate in-field access to their body cameras. SmartConnect includes the ability to pair with VISTA cameras, adjust officer preferences, categorize recordings with incident IDs and case numbers, and play back recordings.

DEVICE MANAGEMENT

Agencies using VideoManager EL can assign users to devices, track them and streamline shift changes. You can easily manage, configure, update firmware and deploy in-car and body-worn cameras. Individual preference settings can be configured based on user profiles, allowing quick device transactions within a pooled or assigned device system. VideoManager EL also enables devices to be quickly exchanged between officers during shift changes. This minimizes the number of devices needed for your fleet.

Device Tracking

You can easily manage, configure and deploy your in-car and body-worn cameras in VideoManager EL. Devices can be assigned to personnel within VideoManager EL and tracked, helping agencies keep track of which users have specific devices.

Faster Shift Changes

VideoManager EL's Rapid Checkout Kiosk feature allows agencies using a pooled camera system to use fewer cameras. Cameras can be checked out at the start of a shift using an easy-to-use interface.



At the end of the shift, the camera can be returned to its dock, where the video is automatically uploaded and the camera is made ready to be checked out and used for the next shift.

Devices can also be configured to remember individual preference settings for each user, including haptic and audible alert volume level, screen brightness and camera aim. These settings are applied whenever a device is assigned to a specific officer. A variety of settings within VideoManager EL also enable you to configure devices to operate in alignment with your agency's policies and procedures.



MOBILE VIDEO PRODUCTS NEW SYSTEM STATEMENT OF WORK

OVERVIEW

This Statement of Work (SOW) outlines the responsibilities of Motorola Solutions, Inc. (Motorola) and the Customer for the implementation of body-worn camera(s) and/or in-car video system(s) and your digital evidence management solution. For the purpose of this SOW, the term "Motorola" may refer to our affiliates, subcontractors, or certified third-party partners. A third-party partner(s) (Motorola-certified installer) will work on Motorola's behalf to install your in-car video system(s) (if applicable).

This SOW addresses the responsibilities of Motorola and the Customer that are relevant to the implementation of the hardware and software components listed in the Solutions Description. Any changes or deviations from this SOW must be mutually agreed upon by Motorola and the Customer and will be addressed in accordance with the change provisions of the Contract. The Customer acknowledges any changes or deviations from this SOW may incur additional cost.

Motorola and the Customer will work to complete their respective responsibilities in accordance with the Project Schedule. Any changes to the Project Schedule must be mutually agreed upon by both parties in accordance with the change provisions of the Contract.

Unless specifically stated, Motorola will perform the work remotely. The Customer will provide Motorola personnel with access to their network and facilities so Motorola is able to fulfill its obligations. All work will be performed during normal business hours based on the Customer's time zone (Monday through Friday from 8:00 a.m. to 5:00 p.m.).

The number and type of software subscription licenses, products, or services provided by Motorola are specifically listed in the Contract and referenced in the SOW. Services provided under this SOW are governed by the mutually executed Contract between the parties, or Motorola's Master Customer Agreement and applicable addenda ("Contract").

AWARD, ADMINISTRATION, AND PROJECT INITIATION

Project Initiation and Planning will begin following the execution of the Contract between Motorola and the Customer. At the conclusion of Project Planning, Motorola's Project Manager (PM) will begin status meetings and provide status reports on a regular cadence with the Customer's PM. The status report will provide a summary of activities completed, activities planned, progress against the project schedule, items of concern requiring attention, as well as, potential project risks and agreed upon mitigation actions.

Motorola utilizes Google Meet as its teleconference tool. If the Customer desires to use an alternative teleconferencing tool, any costs incurred from the use of this alternate teleconferencing tool will be the responsibility of the Customer.

FBI-CJIS SECURITY POLICY – CRIMINAL JUSTICE INFORMATION

CJIS Security Policy Compliance

Motorola does not believe our Mobile Video offerings (i.e. in-car/body-worn cameras) require compliance with the FBI-CJIS Security Policy (CJISSECPOL) based on the definition in Section 4 of CJISSECPOL and how the FBI-CJIS defines Criminal Justice Information. However, Motorola does design its products with the CJISSECPOL



security controls as a guide. Motorola's Mobile Video system design and features support best practice security controls and policy compliance. In the event of a CJIS technical audit request, Motorola will support the Customer throughout this process.

Personnel Security – Background Screening

Motorola will assist the Customer with completing the CJIS Security Policy Section 5.12 Personnel Security related to authorized personnel background screening when requested to do so by the Customer. Based on Section 5.12, a Motorola employee is defined as someone who is required to be on the Customer's property with unescorted access. Motorola employees will also have access to the Customer's network(s) and stored information. Motorola has remote access tools to support virtual escorted access to on-premises customer assets.

Additionally, Motorola performs independent criminal background investigations including name based background checks, credential and educational vetting, credit checks, U.S. citizen and authorized worker identity verification on its employees.

Motorola will support the Customer in the event of a CJIS audit request to validate employees assigned to the project requiring CJIS Section 5.12 Personnel Security screening and determine whether this list is up to date and accurate. Motorola will notify the Customer within 24 hours or next business day of a personnel status change.

Security Awareness Training

Motorola requires all employees who will support the Customer to undergo Level 3 Security Awareness Training provided by Peak Performance and their CJIS online training platform. If the Customer does not have access to these records, Motorola can facilitate proof of completion. If the Customer requires additional and/or separate training, Motorola will work with the Customer to accommodate this request at an additional cost.

CJIS Security Addendum

Motorola requires all employees directly supporting the Customer to sign the CJIS Security Addendum if required to do so by the Customer.

Third Party Installer

The Motorola-certified third party installer will work independently with the Customer to complete the Section 5.12 Personnel Security checks, complete Security Awareness Training and execute the CJIS Security Addendum.

COMPLETION CRITERIA

The project is considered complete once Motorola has completed all responsibilities listed in this SOW. The Customer's task completion will occur based on the Project Schedule to ensure Motorola is able to complete all tasks without delays. Motorola will not be held liable for project delays due to incomplete Customer tasks.

The Customer must provide Motorola with written notification if they do not accept the completion of Motorola responsibilities. Written notification must be provided to Motorola within ten (10) business days of task completion. The project will be deemed accepted if no written notification is received within ten (10) business days.

In the absence of written notification for non-acceptance, beneficial use will occur thirty (30) days after functional demonstration of the system.



SUBSCRIPTION SERVICE PERIOD

If the contracted system includes a subscription, the subscription service period will begin upon the Customer's receipt of credentials for access. The provision and use of the subscription service is governed by the Contract.

PROJECT ROLES AND RESPONSIBILITIES OVERVIEW

Motorola Project Roles and Responsibilities

The Motorola Project Team will be assigned to the project under the direction of the Motorola PM. Each team member will be engaged in different phases of the project as necessary. Some team members will be multi-disciplinary and may fulfill more than one role.

In order to maximize effectiveness, the Motorola Project Team will provide various services remotely by teleconference, web-conference, or other remote method in order to fulfill our commitments as outlined in this SOW.

Our experience has shown customers who take an active role in the operational and educational process of their system realize user adoption sooner and achieve higher levels of success with system operation. The subsections below provide an overview of each Motorola Project Team Member.

Project Manager (PM)

The PM will be the principal business representative and point of contact for Motorola. The PM's responsibilities may include but are not limited to:

- Manage Motorola responsibilities related to the delivery of the project.
- Maintain the Project Schedule, and manage assigned Motorola personnel, subcontractors, and suppliers as applicable.
- Coordinate schedules of assigned Motorola personnel, subcontractors, and suppliers as applicable.
- Conduct equipment inventory if applicable.
- Maintain project communications with the Customer.
- Identify and manage project risks.
- Coordinate collaboration of Customer resources to minimize project delays.
- Evaluate project status against Project Schedule.
- Conduct status meetings on mutually agreed upon dates to discuss project status.
- Provide timely responses to Customer inquiries and issues related to project progress.
- Conduct daily status calls with the Customer during Go-Live.

Post Sales Engineer

The Post Sales Engineer will work with the Customer's Project Team on:

- Discovery validation.
- System provisioning.
- Covers the IT portion of the Project Kickoff Call with the Customer.
- Contracted data migration between two disparate digital evidence management systems (if applicable).



System Technologist (ST)

The ST will work with the Customer's Project Team on:

- Configure Customer's digital evidence management system.
- Inspect installation and configure hardware devices.
- Provide instructions to the Customer on how to configure the hardware.
- Review Deployment Checklist with the Customer.
- Develop and submit a Trip Report.
- Update Customer IP Map.

Professional Services Engineer (if applicable)

The Professional Services Engineer is engaged on projects that include integration between Motorola's digital evidence management system and the Customer's third-party software application. Their responsibilities include:

- Delivery of the interface between Motorola's digital evidence management system and the Customer's third-party software (e.g. CAD).
- Work with the Customer to access required systems/data.

Application Specialist (if applicable)

The Application Specialist will work with the Customer Project Team on system provisioning and education. The Application Specialist's responsibilities include but are not limited to:

- Deliver provisioning education and guidance to the Customer for operating and maintaining their system.
- Provide product education as defined by this SOW and described in the Education Plan.
- Provide on-site training based on the products the Customer purchased.

Technical Trainer / Instructor

The Technical Trainer / Instructor provides training on-site or remote depending on the training topic and deployment services purchased.

Motorola-Certified Installer

The Motorola-certified installer is primarily responsible for installing in-car video systems (ICVs) into Customer vehicles. There are specific requirements the 3rd party partner must meet in order to be considered a Motorola-certified installer, and they include the following:

- **Required Training**
 - WTG0501 - M500 Vehicle Installation Certification (Remote) or WTG0503 - M500 Vehicle Installation Certification (Live)
 - Needs to be renewed yearly.
 - Needs to be submitted to the PM by the technician completing the installation no less than thirty (30) days prior to the installation.
 - Review of any previous Motorola Solutions Technical Notifications (MTNs).
- **Optional Training**
 - WGD00186 - M500 Installation Overview and Quick Start (NA)
 - Not required for installation. Available for the installing technician.
 - WGD00177 - M500 In-Car Video System Installation Guide
 - Not required for installation. Available for the installing technician.
 - MN010272A01 - M500 In-Car Video System Basic Service Manual



- Not required for installation. Available for the installing technician.

Other responsibilities the Motorola-certified installer may be involved in include the installation of cellular routers or Access Points. These activities will only be completed by Motorola if Motorola quotes these services; otherwise, the completion of these services are solely the responsibility of the Customer.

Customer Support Services Team

The Customer Support Services Team will provide on-going support to the Customer following Go-Live and final acceptance of the project.

Customer Project Roles and Responsibilities

Motorola has defined key resources that are critical to this project and must participate in all the activities defined in this SOW. During the Project Planning phase, the Customer will be required to provide names and contact information for the roles listed below. It is critical that these resources are empowered to make decisions based on the Customer's operational and administration needs. The Customer Project Team will be engaged from Project Initiation through Beneficial Use of the system. In the event the Customer is unable to provide the resources identified in this section, Motorola may be able to supplement these resources at an additional cost.

Project Manager

The PM will act as the primary point of contact for the duration of the project. In the event the project involves multiple locations, Motorola will work exclusively with the Customer's primary PM. The PM's responsibilities will include, but are not limited to:

- Communicate and coordinate with other project participants.
- Manage the Customer Project Team including subcontractors and third-party vendors. This includes timely facilitation of tasks and activities.
- Maintain project communications with the Motorola PM.
- Identify tasks required of Customer staff that are outlined in this SOW and the Project Schedule.
- Consolidate all project inquiries from Customer staff to present to Motorola PM.
- Approve a deployment date offered by Motorola.
- Review Project Schedule with the Motorola PM and finalize tasks, dates, and responsibilities.
- Measure and evaluate progress against the Project Schedule.
- Monitor project to ensure resources are available as required.
- Attend status meetings.
- Provide timely responses to issues related to project progress.
- Liaise and coordinate with other agencies, Customer vendors, contractors, and common carriers.
- Review and administer change control procedures, hardware and software certification, and all related project tasks required to meet the deployment date.
- Ensure Customer vendors' readiness ahead of the deployment date.
- Assign one or more personnel to work with Motorola staff as needed for the duration of the project, including one or more representatives from the IT department.
- Identify a resource with authority to formally acknowledge and approve milestone recognition certificates, as well as, approve and release payments in a timely manner.
- Provide Motorola personnel with access to all Customer facilities where system equipment is to be installed. Temporary identification cards are to be issued to Motorola personnel, if required for access.
- Ensure remote network connectivity and access for Motorola resources.



- Assume responsibility for all fees pertaining to licenses, inspections and any delays associated with inspections due to required permits as applicable to this project.
- Provide reasonable care to prevent equipment exposure from contaminants that may cause damage to the equipment or interruption of service.
- Ensure a safe working environment for Motorola personnel.
- Identify and manage project risks.
- Provide signature(s) of Motorola-provided milestone recognition certificate(s) within ten (10) business days of receipt.

IT Support

IT Support manages the technical efforts and ongoing activities of the Customer's system. IT Support will be responsible for managing Customer provisioning and providing Motorola with the required information for LAN, WAN, server and client infrastructure.

The IT Support Team responsibilities include but are not limited to:

- Participate in delivery and training activities to understand the software and functionality of the system.
- Participate with Customer Subject Matter Experts (SMEs) during the provisioning process and associated training.
- Authorize global provisioning decisions and be the Point of Contact (POC) for reporting and verifying problems.
- Maintain provisioning.
- Implement changes to Customer infrastructure in support of the proposed system.

Video Management Point of Contact (POC)

The Video Manager POC will educate users on digital media policy, participate in Discovery tasks, and complete the Video Management Administration training. The Customer is responsible for its own creation and enforcement of media protection policies and procedures for any digital media created, extracted, or downloaded from the digital evidence management system.

Subject Matter Experts (SMEs)

SMEs are a core group of users involved with the analysis, training and provisioning process, including making decisions on global provisioning. The SMEs should be experienced users in their own respective field (evidence, dispatch, patrol, etc.) and should be empowered by the Customer to make decisions based on provisioning, workflows, and department policies related to the proposed system.

Training POC

The Training POC will act as the course facilitator and is considered the Customer's educational monitor. The Training POC will work with Motorola when policy and procedural questions arise. They will be responsible for developing any agency specific training material(s) and configuring new users on the Motorola Learning eXperience Portal (LXP) system. This role will serve as the first line of support during Go-Live for the Customer's end users.



General Customer Responsibilities (if applicable)

In addition to the Customer responsibilities listed above, the Customer is responsible for the following:

- All Customer-provided equipment, including third-party hardware and software needed for the proposed system but not listed as a Motorola deliverable. Examples include end user workstations, network equipment, etc.
- Configure, test, and maintain third-party system(s) that will interface with the proposed system.
- Establish an Application Programming Interface (API) for applicable third-party system(s) and provide documentation that describes the integration to the Motorola system.
- Coordinate and facilitate communication between Motorola and Customer third-party vendor(s) as required.
- Motorola-certified installers must be certified through LXP for remote or in person installation training. The Customer is responsible for work performed by non-certified installers.
- Upgrades to Customer's existing system(s) in order to support the proposed system.
- Mitigate the impact of upgrading Customer third-party system(s) that will integrate with the proposed system. Motorola strongly recommends working with the Motorola Project Team to understand the impact of such upgrades prior to taking action.
- Active participation of Customer SMEs during the course of the project.
- Electronic versions of any documentation associated with business processes identified.
- Providing a facility with the required computer and audio-visual equipment for training and work sessions.
- Ability to participate in remote project meetings using Google Meet or a mutually agreed upon Customer-provided remote conferencing tool.

Motorola is not responsible for any delays that arise from Customer's failure to perform the responsibilities outlined in this SOW or delays caused by Customer's third-party vendor(s) or subcontractor(s).

NETWORK AND HARDWARE REQUIREMENTS

The following requirements must be met by the Customer prior to Motorola installing the proposed system:

- Provide network connectivity for the transfer and exchange of data for the proposed system.
- Provide Virtual Private Network (VPN) remote access for Motorola personnel to configure the system and conduct diagnostics.
- Provide Internet access to server(s).
- Provide devices such as workstations, tablets, and smartphones with Internet access for system usage. Chrome is the recommended browser for optimal performance. The workstations must support MS Windows 11 Enterprise.
- Provide and install antivirus software for workstation(s).
- Provide Motorola with administrative rights to Active Directory for the purpose of installation, configuration, and support.
- Provide all environmental conditions such as power, uninterruptible power sources (UPS), HVAC, firewall and network requirements.
- Ensure required traffic is routed through Customer's firewall.

Motorola is not responsible for any costs or delays that arise from Customer's failure to meet network and hardware requirements.



PROJECT PLANNING

A clear understanding of the needs and expectations of Motorola and the Customer is critical to fostering a collaborative environment of trust and mutual respect. Project Planning requires the gathering of specific information to set clear project expectations and guidelines, as well as lay the foundation for a successful implementation.

PROJECT PLANNING SESSION

A Project Planning Session will be scheduled after the Contract has been executed. The Project Planning Session is an opportunity for the Motorola and Customer PM to meet prior to the Project Kickoff Meeting and review key elements of the project and expectations. Depending on the items purchased, the agenda will typically include:

- A high level review of the following project elements:
 - Contract documents.
 - A summary of contracted applications and hardware as purchased.
 - Customer's involvement in project activities to confirm understanding of scope and required time commitments.
 - A high level Project Schedule with milestones and dates.
- Confirm CJIS background investigations and fingerprint requirements for Motorola employees and/or subcontractors.
- Determine Customer location for Motorola to ship their equipment for installation.

Motorola Responsibilities

- Schedule the remote Project Planning Session.
- Request the assignment of Customer Project Team and any additional Customer resources that are instrumental to the project's success.
- Provide the initial Project Schedule.
- Baseline the Project Schedule.
- Review Motorola's delivery approach and its reliance on Customer-provided remote access.
- Document mutually agreed upon Project Kickoff Meeting Agenda.
- Request user information required to establish the Customer in LXP.

Customer Responsibilities

- Identify Customer Project Team and any additional Customer resources that are instrumental to the project's success.
- Acknowledge the mutually agreed upon Project Kickoff Meeting Agenda.
- Provide approval to proceed with the Project Kickoff Meeting.

Motorola Deliverables

- Project Kickoff Meeting Agenda.

PROJECT KICKOFF

Motorola will work with the Customer to understand the impact of introducing a new solution and the preparedness needed for a successful implementation.



Note – The IT Questionnaire is completed during the pre-sales process and prior to Contract award. The IT Questionnaire is given to Motorola at the time of offer acceptance. Delay in completing the IT Questionnaire may delay shipment of equipment. Motorola will not be responsible for any delays associated with or related to the completion of the IT Questionnaire.

Motorola Responsibilities

- Review Contract documents including project delivery requirements as described in this SOW.
- Discuss the deployment start date and deliver the Deployment Checklist.
- Discuss vehicle equipment installation activities and responsibilities.
- Discuss the equipment inventory process (if applicable).
- Discuss project team participants and their role(s) in the project with fulfilling the obligations of this SOW.
- Review resource and scheduling requirements.
- Discuss Motorola remote system access requirements (24-hour access to a secured two-way Internet connection through the Customer's firewall for the purpose of deployment and maintenance).
- Discuss and deliver the Business Process Review (BPR) Workbook.
- Complete all necessary documentation (i.e. fingerprints, background checks, card keys, etc.) required for Motorola resources to gain access to Customer facilities.
- Discuss the LXP training approach.
- Provide designated Customer administrator with access to LXP.
- Review and agree on completion criteria and the process for transitioning to support.

Customer Responsibilities

- Provide feedback on project delivery requirements.
- Review the Deployment Checklist.
- Review the roles of project participants to identify decision-making authority.
- Provide VPN access to Motorola personnel to facilitate delivery of services described in this SOW.
- Validate non-disclosure agreements, approvals, and other related items are complete (if applicable).
- Provide all documentation (i.e. fingerprints, background checks, card keys, etc.) required for Motorola resources to gain access to Customer facilities.
- Provide Motorola with names and contact information to the designated LXP Administrator(s).

Motorola Deliverables

- Project Kickoff Meeting Minutes.
- BPR Workbook.
- Deployment Checklist.

DISCOVERY TELECONFERENCE

During the Discovery Teleconference, Motorola will meet with the Customer to define system configuration, as well as, agency recording and retention policies. This information will be documented in the Business Process Review (BPR) Workbook, which is used as a guide for configuration and provisioning decisions.

Motorola Responsibilities

- Facilitate Discovery Teleconference(s).
- Review and complete BPR Workbook with the Customer.



- Confirm Customer-provided configuration inputs.

Customer Responsibilities

- Gather and review information required to complete the BPR Workbook during the Discovery Teleconference.
- Schedule Customer Project Team and SMEs to attend the Discovery Teleconference. SMEs should be present to weigh-in on hardware, software and network components. Customer attendees should be empowered to convey policies and make modifications to policies as necessary.
- Return completed BPR Workbook no later than five (5) business days after the conclusion of the Discovery Teleconference.

Motorola Deliverables

- Completed BPR Workbook.



PROJECT EXECUTION

HARDWARE PROCUREMENT AND INSTALLATION

Motorola will procure contracted hardware as part of the ordering process. The hardware will be configured with a basic profile in line with the information provided by the IT Questionnaire or Discovery Teleconference for installation and configuration of the system. The Customer is responsible for providing an installation environment that meets manufacturer's specifications for the hardware, which includes but is not limited to:

- Power
- Heating and Cooling
- Network Connectivity
- Access and Security
- Conduit and Cabling

Motorola Responsibilities

- Procure contracted equipment and ship to the Customer's designated location.
- Inventory equipment after arrival at Customer location (if applicable).
- Install backend server in Customer's designated area (if applicable).
- Conduct a power-on test to validate the installed hardware and software are ready for configuration.
- Verify remote connection to hardware.
- For an on-site deployment, Motorola will be responsible for verifying the body-worn camera Transfer Stations are connected to the Customer's network. The Customer is responsible for ensuring Motorola has the correct IP address(es) for configuring the Transfer Stations, and the Customer's network is operational.
- The installer will be responsible for installing the Access Point(s) (APs) if provided by Motorola (if applicable).
- The ST will verify whether the AP(s) are properly installed and connected to the network (if applicable).
- Create a Trip Report outlining the activities completed during configuration and testing of system hardware.

Customer Responsibilities (if applicable)

- Procure Customer-provided equipment and make it available at the installation location.
- Confirm the server room complies with environmental requirements (i.e. power, uninterruptible power, surge protection, heating/cooling, etc.).
- Verify the server is connected to the Customer's network.
- Provide, install, and maintain antivirus software for server(s) and/or workstation(s).
- Enable outgoing network connection (external firewall) to the CommandCentral cloud by utilizing the Customer's Internet connection (if applicable).
- Install Customer-supplied APs (if applicable).
- Verify APs are properly installed and connected to the network (if applicable).
- For remote deployments, the Customer is responsible for verifying the body-worn camera Transfer Stations are connected to their network.
- Confirm access to installed software on Customer-provided workstation(s).
- For body-worn cameras, the Customer will verify whether the Transfer Station(s) are connected to their network.

Motorola Deliverables

- Contracted Equipment.



- Equipment Inventory (if applicable).

In-Car Video System Configuration (if applicable)

The Motorola-certified installer will complete the installation of the in-car video (ICV) system(s) within the Customer-provided vehicle(s). The installer may also be responsible for installing cellular routers or WiFi radios inside the vehicle(s) for wireless upload of video to the Customer's digital evidence management system.

The Customer vehicles must be available for the ST to complete the configuration and testing of the contractual number of ICVs. If the Customer does not have all vehicles available during the agreed upon date and time, the Customer may opt to sign-off on the number of ICV configurations completed. If the Customer requires the ST to complete the full contractual number of ICVs at a later date and time, additional cost may be incurred. **Table 1-1** shows the number of ICVs an ST is contractually obligated to configure and test based on the number of ICVs purchased.

Table 1-1: Number of Contractual ICV Configurations

Number of ICV Purchased	Number of ICV to Test
1	1
2	2
3	3
4	4
5 - 25	5
26 - 50	10
51 - 75	15
76 - 100	20
101 - 150	30
151 - 200	40
201+	20%

Note – The Pricing Page will reflect in-car video installation services by Motorola if Motorola is responsible for the vehicle installations.

Motorola Responsibilities

- Setup server for ICV digital video recorder (DVR) configuration.
- Create configuration USB used to complete ICV hardware configuration and validation.
- Travel to the Customer site to conduct configuration and testing of ICVs.
- Complete ICV configuration on a single vehicle, and validate the configuration with the Customer.
- Receive Customer approval to proceed with remaining ICV configurations.
- Complete remaining contracted vehicle configurations.
- Test a subset of completed ICV hardware configurations.



- For Motorola-certified installer, complete the installation of cellular router and confirm placement of antenna mounting with Customer (if applicable).
- The Motorola-certified installer will install Customer-provided SIM card into cellular router and connect cellular router to ICV (if applicable).
- Activities surrounding ICV (M500) interface to Automatic License Plate Recognition (ALPR) (if applicable).
 - Install Car Detector Mobile MDC Software on Customer-provided mobile data terminal (MDT) within the vehicle.
 - Configure MDC Network Card.

Customer Responsibilities

- Provide Motorola with remote connection and access credentials to complete ICV hardware configuration.
- Notify Motorola of the vehicle installation location.
- Coordinate and schedule date and time for ICV hardware configuration(s).
- Make ICV hardware available to Motorola for configuration and testing in accordance with the Project Schedule.
- Provide cellular SIM Card for Internet connectivity to the installer at time of vehicle installation.

Motorola Deliverables

- Complete Functional Validation Plan as it applies to the proposed solution.

NOTE - The Customer is responsible for having all vehicles and devices available for installation per the Project Schedule. All cellular data fees and Internet connectivity charges are the responsibility of the Customer. If a Motorola-certified installer is not used to install the ICV(s), Motorola is not responsible for any errors in hardware installation, performance or delays in the Project Schedule. In the event the Customer takes on the responsibility of installing the ICV(s) through a Motorola-certified installer, Motorola is also not responsible for any errors in hardware installation, performance or delays in the Project Schedule. For ALPR installations, an MDT is required for all vehicles (if applicable).

Body Worn Camera Configuration (if applicable)

The Transfer Station will be utilized to configure each body-worn camera according to the Business Process Review. In order for this process to be successfully completed, the Transfer Station must be connected to the Customer's digital evidence management system. The table below shows the number of body-worn cameras an ST is contractually obligated to configure and test based on the number of body-worn cameras purchased.

Table 1-2: Number of Contractual Body-Worn Camera Configurations

Number of BWC Purchased	Number of BWC to Test
1	1
2	2
3	3
4	4
5 - 25	5
26 - 50	10



Number of BWC Purchased	Number of BWC to Test
51 - 75	15
76 - 100	20
101 - 150	30
151 - 200	40
201+	20%

Motorola Responsibilities

- Configure Transfer Station(s) for connectivity to the digital evidence management system.
- Verify the Transfer Station(s) is configured properly and connected to the network.
- Configure body-worn camera(s) within the digital evidence management system.
- Check out body-worn camera(s) and create a test recording.
- Verify completion of upload from body-worn camera(s) after it is docked in a Transfer Station or USB dock.
- Install and provide a demonstration of client software as part of the same on-site engagement as Go-Live, unless otherwise outlined in this SOW.

Customer Responsibilities

- Select physical location(s) for Transfer Station(s).
- Provide and install workstation hardware.
- Complete installation of client software on remaining workstations and mobile devices.
- Validate functionality of components and solution utilizing the Deployment Checklist.
- Provide Motorola remote connection information and necessary credentials.

Automatic License Plate Recognition (ALPR) Commissioning (if applicable)

This section highlights the responsibilities of Motorola and the Customer when an in-car video system interfaces with the Law Enforcement Archival Report Network (LEARN) database.

Motorola Responsibilities

- Create a Customer account in the LEARN system with user emails.
- Verify the Customer has installed and launched the Vigilant Car Detector Mobile Software per the Vigilant LEARN Quickstart Guide.
- Provide Mobile LPR - Officer Safety Basic and Advanced Pre-Installation Checklist.
- Provide Agency Manager with Training Materials and Car Detector Mobile MDC software installation guide.
- Advise Agency Manager of different options available to add new users.
- Confirm Agency Manager is aware of registration required for Hotlists.
- Confirm Agency Manager understands how to set up data-sharing.

Customer Responsibilities

- Identify the Agency Manager.
- Register to receive access to Hotlists.



SOFTWARE INSTALLATION AND CONFIGURATION

Motorola will install VideoManager Evidence Library (EL) software on a specified number of workstations dictated by the Contract. The Customer will be responsible for installing the software on the remaining workstations. Provisioning of VideoManager EL software will be done in accordance with the information contained in the BPR Workbook.

Installation of VideoManager EL software consists of the following activities:

- Delivery and installation of server hardware (if applicable).
- Network discovery.
- Operating system and software installation.
- Onboarding user / group identity set up.
- Provide access to the application.

VideoManager EL (if applicable)

The VideoManager EL software is an on-premises solution that requires an onsite server and supports both body worn cameras and in-car video systems.

Motorola Responsibilities

- Install software on a specified number of customer workstations and/or mobile devices.
- Use information provided in the BPR Workbook to configure VideoManager EL software.
- Test software using applicable portions of the Functional Validation Plan.
- Provide instruction on client software USB utility.

Customer Responsibilities

- Provide a network environment that conforms to the requirements presented in the Solution Description.
- Procure and install server and storage hardware at desired location in accordance with Solution Description requirements.
- Perform a power on test with Motorola.
- Provide assigned Motorola System Administrator with access to SQL database for installation purposes (Motorola's access will be revoked upon conclusion of the installation).
- For Active Directory integration, provide domain user (service account), security group (for application administrators including service account), and domain read access (if applicable).
- Provide workstation and/or mobile device hardware in accordance with specifications listed in the Solution Description.
- Complete online training.
- Complete installation of client software on remaining workstations and/or mobile devices.

VideoManager ELC (if applicable)

VideoManager ELC software is a cloud solution that does not require an onsite server and supports both body-worn cameras and in-car video systems.

Motorola Responsibilities

- Use information provided in BPR Workbook to configure VideoManager ELC software.
- Based on Customer feedback, perform the following activities:



- Create users, groups, and setup permissions.
- Create event categories.
- Set retention policies.
- Test software using applicable portions of the Functional Validation Plan.
- Ensure training POC can access the system.

Customer Responsibilities

- Verify traffic can be routed through Customer's firewall and reaches end user workstations.

CloudConnect Installation and Configuration (applicable for CommandCentral Aware purchase)**Motorola Responsibilities**

- Verify remote access capability.
- Remotely configure CloudConnect Virtual Machine within the Cloud Anchor Server.
- Configure network connectivity and test connection to the CloudConnect Virtual Machine.
- Create an IPSEC tunnel.
- Provide Customer with the information for setting up the IPSEC tunnel.

Customer Responsibilities

- Provide Motorola with two static IP addresses, corresponding subnet masks/default gateway, and available NTP and DNS IP for the CloudConnect Virtual Machine and the Cloud Anchor Server.
- Confirm with Motorola the network performance requirements are met.
- Configure firewall to allow traffic from IPSEC tunnel.

Completion Criteria

- CloudConnect Virtual Machine configuration is complete and accessible throughout the network.

CommandCentral Evidence (if applicable)

Motorola will work with the Customer to determine best industry practices, current operations environment, and subsystem integration to ensure optimal configuration of your CommandCentral Evidence solution.

Motorola Responsibilities

- Use the CommandCentral Admin Portal to provision users, groups, and rules based on Customer Active Directory data.
- Guide the Customer in the configuration of CommandCentral Evidence.

Customer Responsibilities

- Supply access and credentials to Customer's Active Directory for the purpose of Motorola conducting CommandCentral Evidence provisioning.
- Respond to Motorola's inquiries regarding users, groups and agency mapping to CommandCentral Evidence.
- Provision policies, procedures, and user permissions.
- Configure evidence as directed by Motorola.



DATA MIGRATION SERVICES (IF APPLICABLE)

The Customer is responsible for partitioning data to be converted from a legacy or on-premises digital evidence management system to an on-cloud solution as part of this offer. The Customer will have ten (10) business days to provide feedback after Motorola validates the migrated data. If feedback is not received on or before ten (10) business days, Motorola will assume the migration is complete.

Motorola Responsibilities

- Receive access to Customer video data.
- Perform contracted data migration and validation.

Customer Responsibilities

- Provide remote access to partitioned data to be migrated.
- Validate migrated dataset, and provide Motorola with feedback within ten (10) business days.

Completion Criteria

- A migrated dataset as defined in the Contract.

DEMS INTEGRATIONS AND THIRD-PARTY INTERFACES (IF APPLICABLE)

The integration between Motorola's digital evidence management system and the Customer's third-party system may consist of an iterative series of activities depending on the complexity of accessing the third-party system. Interfaces will be installed and configured in accordance with the Project Schedule. The Customer is responsible for engaging third-party vendors as required to facilitate connectivity and testing of the interface(s).

Motorola Responsibilities

- Develop and configure interface(s) to support the functionality described in the Solution Description.
- Establish and validate connectivity between Motorola and third-party systems.
- Perform functional demonstration to confirm the interface(s) can transmit and receive data to the Customer's digital evidence management system.

Customer Responsibilities

- Act as liaison between Motorola and third-party vendor(s) as required to establish connectivity to the digital evidence management system.
- Provide personnel authorized to make changes to the network and third-party systems to support Motorola's integration efforts.
- Provide network connectivity between digital evidence management system and the third-party system(s).
- Provide information on API, SDKs, data scheme, and any documentation necessary to establish interfaces with all local and remote systems. This information should be provided to the Motorola PM within ten (10) business days of the Interface Engagement Meeting.

NOTE - At the time of initial design, unknown circumstances, requirements or anomalies may present difficulties with interfacing Motorola products to a third-party application. These difficulties could result in a poorly performing or a non-functional interface. By providing Motorola with this information early in the deployment process, will put us in the best position to mitigate these potential issues. If the resolution requires additional third-party integration, application upgrades, APIs, and/or additional software licenses, the Customer is responsible for addressing these issues at their cost. Motorola is not responsible for any delays or costs associated with third-party applications or Customer-provided third-party hardware or software.



SYSTEM TRAINING

The objective of this section is to prepare for and deliver training. Motorola training consists of computer-based (online) and instructor-led (on-site or remote) depending on what is purchased. Our training delivery methods will vary depending on course content. Training will be delivered in accordance with the Education Plan. As part of our training delivery, Motorola will provide user guides and training materials in an electronic format.

ONLINE TRAINING (IF APPLICABLE)

Online training is made available to the Customer through LXP. This subscription service provides customers with unlimited access to our online training content and provides users with the flexibility of learning the content at their own pace. Training content is added and updated on a regular basis to keep information current.

Through LXP, a list of available online training courses, Motorola User Guides, and Training Material are accessible in electronic format.

Motorola Responsibilities

- Designate a LXP Administrator to work with the Customer.
- Establish an accessible instance of LXP for the Customer.
- Configure a Customer-specific portal view.
- Organize content to align with Customer's selected technologies.
- Create initial Customer user accounts and a single Primary Administrator account.
- During onboarding, assist the Customer with LXP usage.
- Provide technical support for user account and access issues, LXP functionality, and Motorola managed content.
- Provide instruction to Customer LXP Administrator on building groups.

Customer Responsibilities

- Provide user information for the initial creation of accounts.
- Complete LXP Administrator training.
- Ensure network and Internet connectivity for Customer access to LXP.
- Customer's primary LXP Administrator is required to complete the following self-paced training: LXP Introduction (LXP0001), LXP Primary Site Administrator Overview (LXP0002), and LXP Group Administrator Overview (LXP0003).
- Advise users on the availability of training through LXP.
- Ensure users complete LXP training in accordance with the Project Schedule.
- Build groups as needed.

INSTRUCTOR-LED TRAINING (ON-SITE AND REMOTE, IF APPLICABLE)

Instructor-led courses are based on products purchased and the Customer's Education Plan.

Motorola Responsibilities

- Deliver User Guides and training materials in an electronic format.
- Perform training in accordance with the Education Plan.



- Provide the Customer with training attendance rosters and summarize any pertinent information that may impact end user training.

Customer Responsibilities

- Supply classroom(s) based on the requirements listed in the Education Plan.
- Designate training representatives who will work with the Motorola trainer(s) to deliver the training content.
- Facilitate training of all Customer end users in accordance with the Customer's Education Plan.

Motorola Deliverables

- Electronic versions of User Guides and training materials.
- Attendance rosters.



PROJECT GO-LIVE, CLOSURE, AND HANDOVER TO SUPPORT

Motorola will utilize the Deployment Checklist throughout the deployment process to verify features and functionality are in line with installation and configuration requirements. The Customer will witness the ST demonstrating the Deployment Checklist and provide feedback as features and functionality are demonstrated. The Customer is considered Live on the system after the equipment has been installed, configured, and made available for use, and training has been delivered or made available to the Customer.

Upon the conclusion of Go-Live, the project is prepared for closure. Project closure is defined as the completion of tasks and the Customer's receipt of contracted components. The Deployment Checklist serves as the artifact that memorializes a project closure. A System Acceptance Certificate will be provided to the Customer for signature to formally close out the project. The Customer has ten (10) business days to provide Motorola with a signed System Acceptance Certificate. If the Customer does not sign off on this document or provide Motorola written notification rejecting project closure, the project will be deemed closed. Upon project closure, the Customer will engage with Technical Support for on-going needs in accordance with the Customer's specific terms and conditions of support.

Motorola Responsibilities

- Provide the Customer with Motorola Technical Support engagement process and contact information.
- Provide Technical Support with the contact information of Customer users who are authorized to engage Technical Support.
- Ensure Deployment Checklist is complete.
- Obtain Customer signature on the System Acceptance Certificate.
- Provide Customer survey upon closure of the project.

Customer Responsibilities

- Within ten (10) business days of receiving the System Acceptance Certificate, provide signatory approval signifying project closure.
- Provide Motorola with the contact information of users who are authorized to engage Motorola's Technical Support.
- Engage Technical Support as needed.

Motorola Completion Criteria

Provide Customer with survey upon closure of the project.



ASSUMPTIONS

This SOW is based on the following list of assumptions (if applicable):

- Videomanager EL Cloud (VMELC) must be connected to the Microsoft Entra ID (formally known as Microsoft Azure Active Directory) for user authentication to the VMELC application. Microsoft Entra ID can be synchronized with the Customer's on-premises Active Directory using Azure AD Connect. If the Customer is using Microsoft Office 365, Motorola will be able to integrate with this Microsoft Entra ID.
- Must be 2003 or later for Microsoft Entra ID integration.
- Upload Speed Requirements for Hardware Devices
 - 5 Mbps + 3 Mbps per additional device.
 - This assumes it will take 8 hours to upload 5 GB of video on a device.
 - 40-50 Mbps per concurrent uploading device.
 - This assumes video is required to upload within 30-40 minutes with approximately 5 GB to upload.
- If the Customer is supplying an upload server to temporarily store video, please verify the server complies with the specifications provided in the Solutions Description.
- By default, M500 ICVs and V300/V700 BWCs do not need an upload server for cloud deployments. An upload server may be required depending on how many devices are uploading concurrently and the need for the Customer to upload video evidence at a given speed.
- Upload appliance required if using 4REs or VISTA body worn cameras connected to VideoManager EL Cloud
- Cellular upload of ICVs and BWCs (if applicable) requires an Ethernet connection to an LTE modem in the vehicle.
- If the Customer is supplying a server for VideoManager EL (On-premises) solution, the Customer must verify the server is not a Domain Controller.
- VideoManager EL for on-premises cannot be installed on a server running Active Directory or Exchange applications on the Customer's network.
- The ICVs are configured with a hidden SSID and WPA2-AES Security with a 128-bit Pre-shared Key. If another type of security is desired, the Customer will be responsible for configuring these security requirements into the ICVs. This information must be supplied through the IT Questionnaire in order for the factory to configure the correct security requirements.
- If the Customer is supplying their own Access Point, it must be 5 GHz 802.11n compatible.



M500 IN-CAR VIDEO SYSTEM SOLUTION DESCRIPTION

The M500 In-Car Video System is the first AI-enabled in-car video solution for law enforcement. It combines Motorola's powerful camera technology with our industry-leading digital evidence management software, VideoManager, to deliver high-quality digital evidence and real-time analytics.

The M500 offers the following benefits:

- Delivers exceptionally clear, evidence-grade video, from inside and outside the vehicle
- The M500 has three high-definition cameras, mounted on the front and rear windshield and in the cabin. The front camera has a 4K sensor, with an ultra high-definition recording resolution that captures both wide-angle and focused video streams. The cabin camera's infrared illumination allows backseat recording in total darkness, and a built-in microphone captures audio in the vehicle during recording.
- Works reliably, even in challenging situations
- The cameras and processor are small, rugged devices, easily and securely installed where they do not hinder any line of sight. They are tamper proof and built to withstand significant impact and severe weather conditions. Even if a vehicle is in a serious collision, the Uninterruptible Power Supply automatically kicks in to continue capturing evidence for those critical extra seconds.
- Protects video data, whether in transit or at rest
- The powerful core processor, with a 1 terabyte drive, securely stores all video footage, encrypting the data to prevent cyber threats.
- Provides users a reliable, easy-to-learn system
- Ease of use is at the heart of the M500. The interface is highly intuitive, and any feature can be accessed with no more than three touches of the control panel. Users can start a recording manually or program sensors to activate a recording when triggered – such as a siren, blue lights, vehicle speed, crash detection, wireless microphones, and more. After the recording starts and is categorized, everything is automated, including the uploading of footage to the system's evidence management software, VideoManager. There, recordings are easily managed, redacted, organized, and shared with all authorized parties, including first responders, fleet managers, investigative officers, supervisors, prosecutors, and legal teams.
- Increases efficiency
- The system's software makes it easy to search and analyze video footage, which can save countless hours for users and minimize human error.
- Promotes trust
- By providing a clear record of incidents that occur while officers are on duty, the M500 promotes trust between public safety agents and the communities they serve.
- Integrates seamlessly with other Motorola technologies
- The M500 offers additional benefits when working in conjunction with Motorola's V700 Body-Worn Camera or L5M License Plate Recognition camera and VehicleManager.
 - When used with the V700, the M500 in-car video system triggers the V700 to record at the same time. Officers can focus on the situation at hand, while the cameras – working together as a seamless system – capture synchronized recording from multiple vantage points. The footage is uploaded to and can be reviewed on the same system.



- When used with the L5M, both the LPR camera and the M500 feed their collected license plate data into Vigilant VehicleManager and display the information on a single interface. Working together, the systems increase coverage while maintaining ease of use through a shared user interface and database.

The M500 is a reliable and comprehensive mobile video solution that will enhance safety, promote accountability, and improve efficiency. It ensures that you always have the critical information needed for smarter, faster decisions to help keep officers and the communities they serve safe.



Purchase Order Checklist

Marked as PO/ Contract/ Notice to Proceed on Company Letterhead
(PO will not be processed without this)

PO Number/ Contract Number

PO Date

Vendor = Motorola Solutions, Inc.

Payment (Billing) Terms/ State Contract Number

Bill-To Name on PO must be equal to the *Legal* Bill-To Name

Bill-To Address

Ship-To Address (If we are shipping to a MR location, it must be documented on PO)

Ultimate Address (If the Ship-To address is the MR location then the Ultimate Destination address must be documented on PO)

PO Amount must be equal to or greater than Order Total

Non-Editable Format (Word/ Excel templates cannot be accepted)

Bill To Contact Name & Phone # and EMAIL for customer accounts payable dept

Ship To Contact Name & Phone #

Tax Exemption Status

Signatures (As required)

V700 BODY-WORN CAMERA SOLUTION DESCRIPTION

The V700 body-worn camera captures clear video and audio of every encounter from the user's perspective. Its continuous- operation capabilities allow constant recording, helping the user to capture every detail of each situation and create a reliable library of evidence for case-building and review. The V700 can stream live video and report real time GPS location through a built-in LTE modem, directly to the suite of CommandCentral applications.

The V700 is easy to operate, with four control buttons. Its innate Record-After-the-Fact® (RATF) technology enables the device to capture important video evidence that can be retrieved hours or days after an incident occurs, even if a recording is not triggered by the user or sensor. With RATF, officers can prioritize response to immediate threats versus manually activating their camera.



1.1. KEY FEATURES OF THE V700

- **Detachable Battery** – The V700's detachable battery allows officers to switch to a fully-charged battery if their shift goes longer than expected. Since the battery charges without being attached to the V700, the battery is kept fully charged in the dock ready for use. This feature is especially helpful for agencies that share body-worn cameras with multiple officers.
- **Wireless Uploading** – Recordings made by the V700 are uploaded to the agency's evidence management system via LTE. Upload over WiFi will be available soon. This enables easy transfer of critical recordings to headquarters for immediate review or long-term storage.
- **Real-time Location and Video Streaming** – With built-in LTE connectivity, the V700 paired with CommandCentral Aware will send location updates and stream live video to a dispatch center or Real Time Crime Center (RTCC) giving the agency a complete and accurate view of their officers for better coordination and quicker response times.
- **LTE Service Ready** – The V700 is approved for use on Verizon and FirstNet networks in the U.S. and Bell Mobility in Canada. The V700 will ship with a pre-installed SIM from both carriers, ready for service activation upon arrival with a data plan that best suits the agency's needs. LTE service activation would be on the agency's carrier account. Motorola Solutions does not provide LTE service for the V700 camera.
- **Data Encryption** – The V700 uses FIPS-140-2 compliant encryption at-rest and in-transit. This ensures recordings made by the agency's officers are secure from unauthorized access.
- **Record-After-The-Fact®** – Our patented Record-After-the-Fact® technology captures footage even when the recording function is not engaged. The camera user or admin can request video footage from a specific point in the past to be uploaded to the evidence management system, hours or even days after the event occurred.
- **Natural Field of View** – The V700 eliminates the fisheye effect from wide-angle lenses that warps video footage. Distortion correction ensures a clear and complete evidence review process. The V700's high quality, low light sensor captures an accurate depiction of recorded events, even in challenging lighting conditions.
- **SmartControl Application** – To maximize efficiency in the field, the Motorola Solutions SmartControl app enables V700 users to preview video recordings, add or edit tags, change camera settings and view live video from the camera. The app is available for both iOS and Android phones.
- **In-Field Tagging** – The V700 enables easy in-field event tagging. It allows officers to view event tags and save them to the appropriate category directly from the body-worn camera or via the SmartControl app.



- **Auto Activation** – The V700 body-worn camera(s) paired with an M500 or 4RE in-car video system(s) can form a recording group, which automatically starts recording when one of the devices begins to record. Each device can be configured to initiate a group recording using triggers like lights, sirens, doors, gun racks, and other auxiliary inputs. Up to eight V700s can form a recording group and collaborate on recordings, without a corresponding in-car video system, using similar triggers. Group recordings are uploaded and automatically linked to the evidence management system as part of one event.

1.2. V700 AND IN-CAR VIDEO INTEGRATION

The V700 integrates seamlessly with the M500 or 4RE in-car video systems, capturing video of an incident from multiple vantage points. This integration includes the following features:

- **Distributed Multi-Peer Recording** – Multiple V700 body-worn cameras and in-car video systems can form a recording group and based on the configuration, automatically start recording when one of the devices begins to record. Group recordings are uploaded and automatically linked to the evidence management system as part of one incident.
- **Automatic Tag Pairing** – Recordings captured by integrated V700 body-worn cameras and in-car video systems can be uploaded to the evidence management system with the same tags. From the in-car video system's display, videos can be saved under the appropriate tag category. The tag is then automatically shared with the V700 video and uploaded as part of one incident along with the officer's name.
- **Evidence Management Software** – When V700 body-worn cameras and in-car video systems record the same incident, the Motorola Solutions evidence management software automatically links those recordings based on officer name, date, and time overlap.
- **Additional Audio Source** – The V700 can serve as an additional audio source when integrated with the in-car video system. The V700 also provides an additional view of the incident and inherits the event properties of the in-car video system's record, such as officer name, event category, and more, based on configuration.

1.3. V700 AND APX RADIO INTEGRATION

Motorola Solutions' APX two-way radios can pair with V700 body-worn cameras to automate video capture through Bluetooth. When the APX's emergency mode button is pressed, or the ManDown feature is activated, the V700 is triggered to start recording immediately. The recording will continue until manually stopped by the officer via the start/stop button on the V700 or group in-car video system.

1.4. HOLSTER AWARE™ INTEGRATION

The V700 integrates with a Holster Aware™ sensor through Bluetooth. If configured, the sensor automatically prompts the V700 to record the moment the holstered equipment is drawn. The holster sensor information is stored with the V700 user profile and uploaded to the evidence management system. If the user is assigned to a different camera, the holster sensor information will be applied to the new camera. The holster sensor allows officers to record high-stress events as they unfold, without having to sacrifice situational awareness by manually activating the V700.



1.5. DOCKING STATIONS

The V700 has three docking options:



Transfer Station – The Transfer Station is built for large, multi-location agencies with large numbers of V700 cameras in service at any given time. It can charge up to eight fully assembled body-worn cameras or individual batteries. The eight docking slots include an LED indication of a battery charging and upload status. While the V700 charges, the Transfer Station can automatically offload recordings from the camera to the evidence management system via an integrated 2.5Gb switch. The Transfer Station connects directly to the LAN for fast offload of recorded events to storage, while charging the body-worn camera battery. The Transfer Station supports comprehensive device management capabilities, such as camera configuration, checkout and officer assignment options; rapid checkout, kiosk, and individual camera checkout; automatic firmware and configuration updates.



USB Base – The USB Base charges the battery of a single V700 or standalone battery pack. The USB Base can be mounted in a vehicle or attached to a desktop or Mobile Data Computer with 12V or USB connection for power. The USB Base has LED indications for battery charging status and upload, and an ambient light sensor for optimal LED brightness control from bright sunlight to the dim interior of a patrol car. When connected to a laptop or desktop computer, the USB Base can be used to upload recordings to the evidence management system, as well as, receive firmware and configuration updates.



Wi-Fi Base – The Wi-Fi Base is mounted in a vehicle. It facilitates V700 upload of video evidence to the evidence management system, firmware updates, communication between V700 and in-car video system group devices and charges fully assembled V700s or individual battery packs. It has LED indications of battery charging status and upload, and an ambient light sensor for optimal LED brightness control, from bright sunlight to the dim interior of a patrol car.

1.6. MOUNTING SOLUTIONS

V700 is compatible with the entire line of V300 mounting solutions as depicted below.

WGP02798

WGA00669

WGA00668

WGP02697

WGP03088

WGP03085



Magnetic
Center Shirt
Mount



Tek-Lok Belt
Mount



Molle Locking
Mount



Shirt
Clip



Heavy
Jacket Clip



Heavy Jacket
Magnetic Mount

Motorola Solutions, Inc.
500 W Monroe Street, Ste 4400
Chicago, IL 60661-3781
USA

July 23, 2024

Columbia Police Department

Attn: Captain Josh Davis

707 N Main St
Columbia, TN 38041

RE: Motorola Solutions Products

Motorola Solutions, Inc. (Motorola) appreciates the opportunity to provide the Columbia Police Department with an overview of our body-worn and in-car cameras, digital evidence management solutions (DEMS), and integrations with our overall public safety technology portfolio.

Motorola recognizes that you have many options and vendors from whom to buy solutions and services. We believe that our products are not only the best available, their integration with one another through an integrated technology platform enhances their value exponentially when compared to other, superficially similar solutions.

Our In-Field Video Recording Solutions

Our V700 body-worn cameras as well as our M500 in-car camera systems capture crystal-clear video and audio of every encounter from the perspectives that matters most. We've designed these cameras specifically to meet law enforcement's needs, with features that provide ultimate recording flexibility without disrupting your officers' focus on their mission.

Record-After-The-Fact – All of our cameras include our unique Record-After-The-Fact® (RATF) feature, which provides continuous recording and retrieval of video even days after an incident occurs. With RATF, officers can prioritize fast response to immediate threats over remembering to activate their camera.

V700 Body-Worn Camera - Motorola's next generation body worn camera, with built-in LTE, enables location sharing, live video streaming and wireless video upload from anywhere cell service is available. The V700 also features: exceptional video quality in low light conditions that mimic the human eye, a detachable battery that can easily be replaced during long shifts, the ability to integrate with 4RE and M500 in-car systems, Motorola's P25 land mobile radios, and our suite of CommandCentral solutions. The V700 has 128 GB storage, large enough to support Record-After-The-Fact for up to 110 Hours at 480P resolution, so events are never missed. The camera also includes customizable user preferences, multiple mounting options, and the SmartControl mobile app to review recorded events and change camera settings. The V700 also features a top LCD display with large icons for easy menu navigation and quick viewing of device status.

M500 In-Car Video – The M500 is a purpose-built powerful ALPR and video analytics platform designed not just to capture video evidence but to keep you safer and more efficient in the moment. M500 display's intuitive user interface makes it simple to operate, with no function more than three taps away, and even if your vehicle is in a serious collision, the system can switch to a built-in UPS to continue capturing evidence for those vital extra seconds. The front camera is able to capture panoramic and focused views simultaneously, save footage of critical incidents in high resolution, and routine events in lower resolution to enable automatic storage management per individually configured retention policy, so you never have to compromise between quality and efficiency.

Body-Worn/In-Car Integrated Recording System – When deployed together, our body-worn cameras and M500 can form an integrated system that simplifies your officer's operational and administrative workflows. Once one camera in the system is activated or triggered, every camera in the system will begin recording. This ensures that incidents are captured from multiple vantage points, with video and audio that is synced and automatically tagged with GPS and time-stamp data. Footage can be managed in-vehicle through a touchscreen interface or in-car computer before uploading via WiFi or LTE to your digital evidence management system.

Motorola's Digital Evidence Management Solutions

To store, manage, and retrieve your video and audio evidence, we offer your agency a range of DEMS—on-premise, cloud-based, or hybrid—so that you can choose which option works best for your agency's needs.

On-Premise Hardware Deployment – Our on-premise DEMS, Evidence Library, is a powerful, server-based video evidence management system that scales to support thousands of simultaneous users. This makes it ideal for every law enforcement agency, regardless of size. Its intuitive user interface makes finding, managing and sharing video and audio evidence easy for the most casual user, and its wide range of customizable options and user permissions makes for flexible and secure use across the organization.

Cloud Software-as-a-Service (SaaS) Solution – Our Cloud DEMS, CommandCentral Evidence, aggregates and intelligently organizes all of your agency's digital content in one place — simplifying content management and streamlining workflows. It stores video, audio, images, incident data, and other digital content in a central, cloud-based location, streamlining access and management across your organization. This unified storage framework reduces the complexities of record management, and will allow your personnel to make informed decisions based on a complete case evidence view presented to them via a single interface. CommandCentral Evidence uses the Azure GovCloud, securing data at rest and in transit to protect communications. This complies with CJIS guidelines, the NIST framework, and is audited annually against the Service Organization Control 1 and 2 reporting framework.

Regardless of whether you choose on-premise, cloud, or hybrid implementation, you can be confident that your body-worn and in-car recorded footage will be easy to review, manage, store, and aggregate through an intuitive, flexible digital evidence management solution.

Seamless Integration with Motorola's Full Public Safety Portfolio

Motorola's mission is to help our customers be the best in the moments that matter. To accomplish that mission, we develop solutions that provide law enforcement and other public safety responders with the means to keep themselves and their citizens safe. From body worn and vehicle mounted video cameras, to data recording and storage, to evidence retrieval, management, and analytics, the products we offer your agencies and its members are part of an end-to-end portfolio focused on the needs of public safety.

The V700 body-worn-cameras as well as our M500 in-car video systems and microphone, and DEMS are only a part of this portfolio. Because they are elements in Motorola's single, unified platform, they will also integrate with the products that your agency may already have, including LMR infrastructure and devices, dispatch and command center software, and broadband infrastructure and devices including our PremierOne, Flex CAD and RMS solutions as well as any Vigilant solutions. Motorola has developed this integrated platform to make our customers' workflows more efficient, optimize decision-making, and improve outcomes.

For example, an officer with a Motorola APX portable radio can now automatically activate recording on their V700 and M500 in-car cameras when that APX radio enters emergency mode. Similarly, the

M500 camera can now automatically run license plates of vehicles captured on the M500 against the billions of license plates stored in the Vigilant LPR system offered by Motorola. If a plate has been flagged, the Car Detector software offered as part of the LPR system will immediately notify the officers in the vehicle.

Should you select a Cloud or hybrid DEMS, CommandCentral Evidence integrates with the rest of Motorola's portfolio, including (but not limited to) the following specific capabilities: Aware Live streaming, Records Management, Analytics, Orchestrate, Reports, Community, CommandCentral Interview Room and many more. This means that your personnel will be able to see all of the available evidence for a specific incident through a single, unified interface, regardless of where that evidence is stored.

As our portfolio evolves, so will the ability of our customers to deploy new capabilities, in order to move to a proactive, predictive public safety model that improves the safety of our communities and the personnel who protect them.

The Benefit of a Motorola Purchase

Beyond simply selling products, solutions, and services, Motorola Solutions offers our customers a partnership with a company that is dedicated to your success. When an agency selects Motorola to provide a solution, they can be sure of our commitment to help law enforcement and other public safety responders meet their objectives and be the best in the moments that matter most.

Motorola Solutions is the exclusive and sole manufacturer of the M500 Digital In-Car Video Systems and the V700 wearable camera systems. These products are represented and sold by Motorola and its certified resellers and manufacturers representatives via direct or applicable national, state or regional contracts. Those contracts allow customers to purchase Motorola products under the terms of those contract agreements. The Body Camera Systems include "No-Fault Warranties" and Motorola is the only company able to provide warranties and maintenance for the above-mentioned products.

We look forward to working with you to develop a customized, integrated solution that meets your specific needs and provides you with the most value for your investment. To move ahead with this process, we invite you to contact Rick Carter, Regional Sales Manager, at 615-804-5986, or rickcarter@motorolasolutions.com. We thank you for your attention to this letter, and we look forward to working with you to develop and implement a solution that meets your needs.

Sincerely,



Nicole Talton

Appointed Vice President of Sales, Video
MOTOROLA SOLUTIONS, INC.

About Motorola

Motorola Solutions is a global leader in public safety and enterprise security. Our solutions in land mobile radio mission-critical communications, video security and access control and command center software, bolstered by managed and support services, create the most integrated technology ecosystem to make communities safer and help businesses stay productive and secure. At Motorola Solutions, we're ushering in a new era in public safety and security. Learn more at www.motorolasolutions.com.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Captain Josh Davis, Police Department

AGENDA ITEM TITLE: APPROVE AND AUTHORIZE THE PURCHASE OF (9) DODGE POLICE PURSUIT AWD VEHICLES FROM COLUMBIA DODGE IN THE AMOUNT OF \$401,222.25 UTILIZING STATE-WIDE CONTRACT

RECOMMENDATION: Approve.

INFORMATION: This entire purchase of the nine police interceptor vehicles will cost the City of Columbia \$401,222.25.

CERTIFICATION: The Chief Financial Officer certifies that \$401,223 is budgeted and unencumbered in Capital Projects-Patrol - Transportation Equipment.

ATTACHMENTS: Staff Report, Quote, SWC209.



**STATE OF TENNESSEE, DEPARTMENT OF GENERAL SERVICES
CENTRAL PROCUREMENT OFFICE**

Statewide Multi-Year Contract Issued to:

TT of Columbia Inc
106 S James Campbell Blvd
Columbia, TN 38401

Vendor ID: 0000141027

Contract Number: 0000000000000000000080359

Title: SWC209 Vehicles

Start Date : September 15, 2023 End Date: December 31, 2024

Is this contract available to local government agencies in addition to State agencies?: Yes

Authorized Users. This Contract establishes a source or sources of supply for all Tennessee State Agencies. "Tennessee State Agency" refers to the various departments, institutions, boards, commissions, and agencies of the executive branch of government of the State of Tennessee with exceptions as addressed in Tenn. Comp. R. & Regs. 0690-03-01-.01. The Contractor shall provide all goods or services and deliverables as required by this Contract to all Tennessee State Agencies. The Contractor shall make this Contract available to the following entities, who are authorized to and who may purchase off of this Statewide Contract ("Authorized Users"):

- a. all Tennessee State governmental entities (this includes the legislative branch; judicial branch; and, commissions and boards of the State outside of the executive branch of government);
- b. Tennessee local governmental agencies;
- c. members of the University of Tennessee or Tennessee Board of Regents systems;
- d. any private nonprofit institution of higher education chartered in Tennessee; and,
- e. any corporation which is exempted from taxation under 26 U.S.C. Section 501(c)(3), as amended, and which contracts with the Department of Mental Health and Substance Abuse to provide services to the public (Tenn. Code Ann. § 33-2-1001).

These Authorized Users may utilize this Contract by purchasing directly from the Contractor according to their own procurement policies and procedures. The State is not responsible or liable for the transactions between the Contractor and Authorized Users.

Note: If "no", attach exemption request addressed to the Central Procurement Officer.

Contract Contact Information:

State of Tennessee
Department of General Services, Central Procurement Office
Contract Administrator: Michael Neely
3rd Floor, William R Snodgrass, Tennessee Tower
312 Rosa L. Parks Avenue
Nashville, TN 37243-1102
Phone: 615-741-5671
Fax: 615-741-0684

Line Information

Line 1

Item ID: 1000187716
Police Vehicles, CDJR, Generic SWC209 Asset
Unit of Measure: EA

Line 2

Item ID: 1000187718
Minivan and Full-size Vans, CDJR(Passenger, Cargo, Cut-Away), Generic SWC209 Asset
Unit of Measure: EA

Line 3

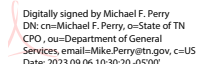
Item ID: 1000187719
Sport Utility Vehicles, CDJR(SUVs), Generic SWC209 Asset
Unit of Measure: EA

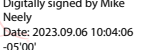
Line 4

Item ID: 1000187720
Light Trucks, CDJR(Class 1,2,3,4,5) Pickup or Chassis Cab, Generic SWC209 Asset
Unit of Measure: EA

Line 5

Item ID: 1000179941
Optional Equipment, Generic SWC209 Asset
Unit of Measure: EA

APPROVED:  
CHIEF PROCUREMENT OFFICER

BY:  
PURCHASING AGENT

DATE



QUOTE

106 S. James Campbell Blvd.
Columbia, TN 38401

Number RKCDQ1446

Date Jul 9, 2024

Sold To

City of Columbia
Josh Davis
707 North Main St
Columbia, TN 38401

Ship To

City of Columbia
Josh Davis
707 North Main St
Columbia, TN 38401

Your Sales Rep

Russell Dial
Cell: (931) 215-8457
Fax: (615) 241-8283
rdial@cdjrcolumbia.com

Phone
Fax

Phone
Fax

Emergency Equipment and Lighting will have to be ordered.

Terms	P.O. Number	Ship Via
Net 30Days	Required	Ground

Line	Qty	Description	Unit Price	Ext. Price
1		2024 Statewide Contract #209 - 80359		
2	1	WDEE75 - 2025 V8 Durango Pursuit AWD base price, including: 5.7L V8 Hemi Engine 8-Speed Auto Transmission Monotone Paint Power Windows Power Locks Power Mirrors Back-Up Camera 4 Set of Keys Push Button Start	\$43,517.00	\$43,517.00
3		Running SubTotal		\$43,517.00
4		Factory Selected Options:		
5	1	Exterior Color: Black	\$0.00	\$0.00
6	1	Cloth Bucket Seats with Rear Vinyl	\$160.00	\$160.00
7	1	Deactivate Rear Door and Windows	\$145.00	\$145.00
8	1	Black Left Led Spotlight	\$750.00	\$750.00
9		SubTotal		\$1,055.00
10		Running SubTotal		\$44,572.00
11		Aftermarket Equipment and Emergency Lighting		
12		SubTotal		\$0.00
13		Running SubTotal		\$44,572.00

Line	Qty	Description	Unit Price	Ext. Price
14		Miscellaneous Items:		
15	1	Temporary Tag	\$8.25	\$8.25
16		Running SubTotal		\$44,580.25
			SubTotal	\$44,580.25
			Tax	\$0.00
			Shipping	\$0.00
			Total	\$44,580.25

Please contact me if I can be of further assistance.

Stellantis will not offer price protection for any 2024MY Government orders.

No 2024MY Government order of any kind (law or non-law) will be released for production until an accompanying Purchase Order or acceptable form of Purchase agreement has been received and verified by Stellantis Government within 30 days of order submission, or the orders will be subject to cancellation.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Ginger Adams, SR. Administrative Assistant to Fire Chief, gadams@columbiatn.gov, 931-560-1723

AGENDA ITEM TITLE: APPROVE CHANGE ORDER NO. 5 WITH BRINDLEY CONSTRUCTION, LLC FOR THE CITY OF COLUMBIA FIRE STATION PROJECT, WHICH INCREASES THE CONTRACT AMOUNT BY A TOTAL OF \$99,762.86

RECOMMENDATION: Approve.

INFORMATION: City Council approved a bid award December 14, 2023 to Brindley Construction, LLC in the amount of \$4,882,000 for the renovations to Fire Station No. 1 located at 1000 South Garden Street.

Change Orders No. 1 and No. 2 reduced the contract amount by a combined total of \$27,887.00 resulting in a lower contract price of \$4,854,113.00. Change Order No. 3 increased the contract amount \$84,000.00 to provide all material, labor and equipment needed for the installation of a 220' underground fire line using 6" CPVC C900 DR 18 piping, designed to enhance the property's fire suppression capabilities. Key components included a protective hot box for temperature regulation, a DCDA backflow preventer for water safety, and a concrete vault prepared for an owner-supplied full flow meter in compliance with the City of Columbia.

Change Order No. 4 increased the contract price by \$8,876.00 to add receptacle in Compressor Room, add 2 receptacles in Apparatus Room, add 5 receptacles 8' high in apparatus Room, add 16 USB receptacles in living area between the beds.

Change Order No. 5 increases the contract price by \$99,762.86 to undercut concrete area at rear of building and rock removal.

Change Order No. 5 increases the total contract price to \$5,037,875.86.

CERTIFICATION: The Chief Financial Officer certifies that \$99,763 will be proposed to be budgeted and unencumbered via Appropriation Amendment No. 1 in Capital Projects-Fire-Suppression - Operational.

ATTACHMENTS: Staff Report; Change Order No. 5.



PO Box 303
Pulaski, TN 38478
Ph : (931)363-4544

Change Order

Project:

23-131 City of Columbia Fire Station
1000 South Garden Street
Columbia, TN 38401

Change Order: 5**Date: 7/17/2024****Architect's Project:****To Contractor:**

Brindley Construction, LLC
PO Box 303
Pulaski, TN 38478

The Contract is changed as follows:

See attached description of undercut and rock removal.

5 02-200

\$99,762.86

The original Contract Amount was	\$4,882,000.00
Net change by previously authorized Change Orders	\$56,113.00
The Contract Amount prior to this Change Order was	\$4,938,113.00
The Contract will be increased by this Change Order in the amount of	\$99,762.86
The new Contract Amount including this Change Order will be	\$5,037,875.86

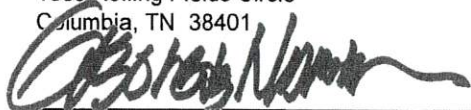
The date of Substantial Completion as of the date of this Change Order therefore is

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACT AND OWNER.

Nuber Architecture, LLC
ARCHITECT
1069 Rolling Fields Circle
Columbia, TN 38401

Brindley Construction, LLC
CONTRACTOR
PO Box 303
Pulaski, TN 38478

City of Columbia
OWNER
700 N Garden Street
Columbia, TN 38401


(Signature)

George Nuber

By 07-22-2024

Date


(Signature)

Ronnie Brindley

By 7-17-24

Date

(Signature)

By

Date

Approved as to Legal Form:

C. Tim Tisher, City of Columbia Page 13 of 2926

City of Columbia Fire Station

Description	Cost	Quantity	Total
Undercut concrete area at rear of building	27.75	90.74	\$2,518.04
Removal 30 x 50 x 1.5 = 83.34 CY			
Removal 10 x 10 x 2 = 7.40 CY			
Undercut	9,287.94	1	\$9,287.94
Stone replacement			
Rock Hammering - Rear building subgrade, trench drain	250.00	134	\$33,500.00
Rock Hammering - Fire Line	250.00	67	\$16,750.00
Rock Hammering - Electric	250.00	42	\$10,500.00
Rock Hammering - Building Footing (rear & front)	250.00	18 yards	\$4,500.00
Rock Hammering - Atmos	250.00	40 yards	\$10,000.00
Rock to lower sprinkler vault	250.00	2 yards	\$500.00
We feel there will be some additional removal for the fuel tank for the generator			
		Subtotal	\$87,555.98
5% Overhead			\$4,377.80
5% Profit			\$4,598.69
Bond			\$3,230.39
		Total	\$99,762.86



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Liz Bermudez, Executive Secretary, liz@columbiatn.com 931.560.1510

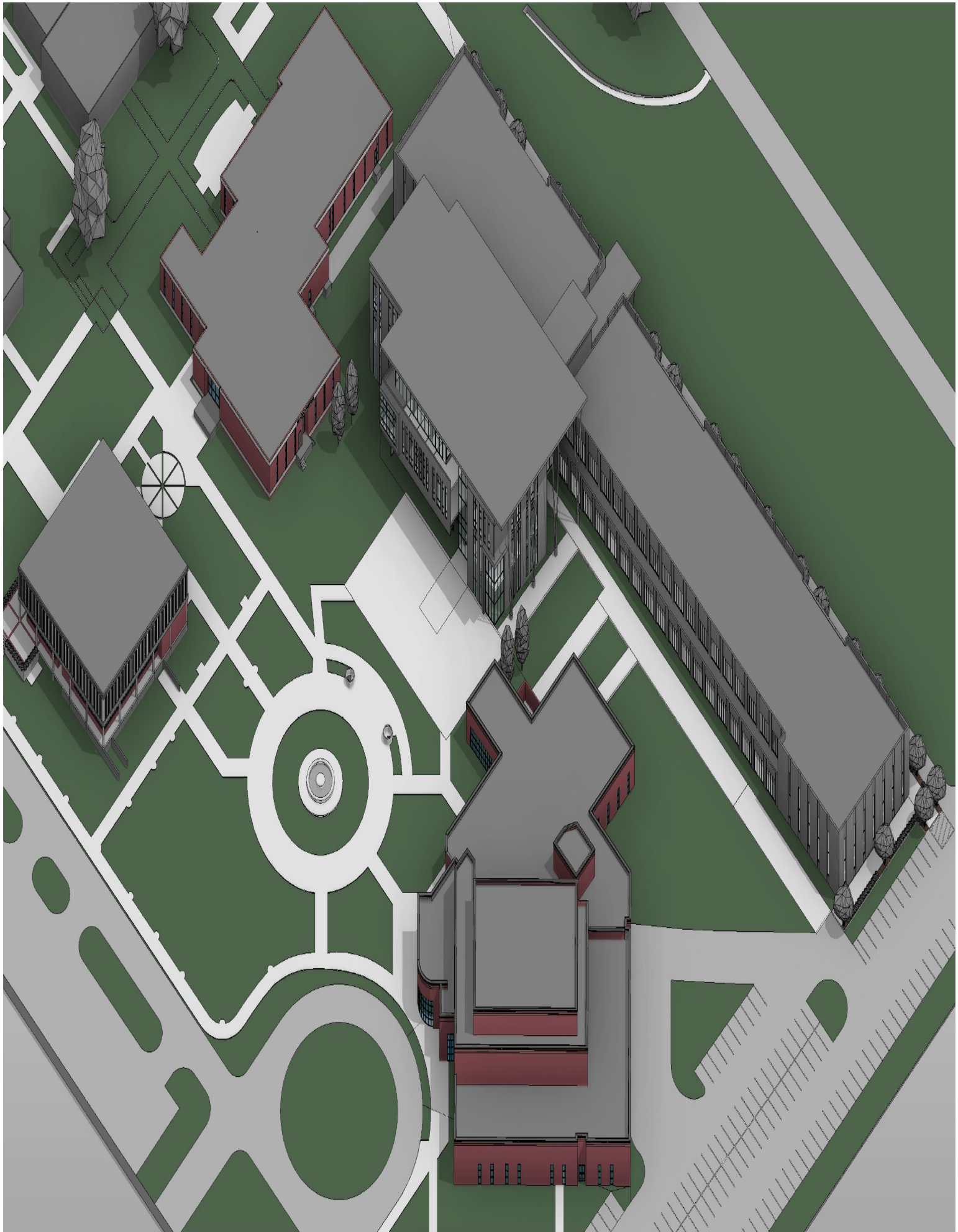
AGENDA ITEM TITLE:

REQUEST FROM COLUMBIA STATE COMMUNITY COLLEGE PRESIDENT DR. JANET SMITH TO WAIVE FEES ASSOCIATED WITH THE NEW SOUTHERN REGIONAL TECHNOLOGY CENTER

RECOMMENDATION: Approve

INFORMATION: City Council has been asked to waive \$325,000 in fees associated with the construction of the college's Southern Regional Technology Center.

ATTACHMENTS: Staff Report, Email.



From: Smith, Janet F <jsmith192@Columbiastate.edu>
Sent: Wednesday, July 24, 2024 9:21 AM
To: Tony Massey <TMassey@Columbiatn.gov>
Subject: [Caution External Email] - RE: Waving of Planning fees for SRTC

The total cost is \$53.712,000

The gross square feet of 88,000 at a cost of \$472.44 with the college being required to raise or fund \$2,330,200 of the total costs

Initial funding was \$50, 212,000 - The project submission was for 99,639 gross square feet at a cost of \$325,000.

We have cut programs from the project and are still pinching pennies – we got within budget on initial construction review – but I anticipate additional cuts due to infrastructure issues and construction costs increases.

For information the SRTC (Southern Regional Technology Center) will house

Columbia State Programs

- Nursing
- Radiology Technology
- Respiratory Care
- Veterinary Tech
- Medical Lab Tech

Hohenwald TCAT

- Practical Nursing
- Automotive Technology

Pulaski TCAT

- Welding
- HVAC

I attached the design which shows location. The long bar is referred to as the Tech bar and contains all non-health programs. The health programs are located in the three-story section facing the circle.

This may be more information than you need – just wanted to provide you with additional info in event of questions. I have a video fly thru which is primarily the outside of the building and the inner hallway. If you think it would be good to have I can forward.

Thank you for considering this request and supporting it to the Council. We have been after this building for 7-8 years – It is not all we wanted but it is something that will service this community, this region, and our citizens well. It will provide opportunities for careers and state of the art career experiences that do not exist today in this community or region.

Janet

Janet F. Smith, Ph.D.
Columbia State Community College
1665 Hampshire Pike
Columbia, TN 38401
Janet.Smith@columbiastate.edu
931.540.2510



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Michele Stevens, Administrative Assistant, mstevens@columbiatn.com, 931-560-1010

AGENDA ITEM TITLE: RESOLUTION NO. 24-45 - A RESOLUTION TO ACCEPT THE OWNERSHIP AND MAINTENANCE OF SEWER IMPROVEMENTS SERVING WILLIAMSPORT LANDING SINGLE FAMILY PHASE 2 AND 3

RECOMMENDATION: Approve Resolution No. 24-45.

INFORMATION: Williamsport Landing Single Family Phase 2 and 3 consists of 3,544 linear feet of 8" sanitary sewer main. The Developers met all of the qualifications for acceptance. The Wastewater Department has performed the necessary testing and inspections.

CERTIFICATION:

ATTACHMENTS:

Resolution No. 24-45

Resolution No. 24-45 Dedication Letter

**A RESOLUTION TO ACCEPT THE OWNERSHIP AND MAINTENANCE OF
SEWER IMPROVEMENTS SERVING WILLIAMSPORT LANDING SINGLE
FAMILY PHASE 2 AND 3**

WHEREAS, The City of Columbia, has been requested to accept ownership and maintenance of 3,544 linear feet of 8" gravity main serving Williamsport Landing Single Family Phase 2 and 3; and

WHEREAS, the City of Columbia has inspected said sewer improvements and has determined that said sewer improvements meet the requirements imposed by the City of Columbia.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COLUMBIA, that the City of Columbia does hereby accept the ownership and maintenance of said sanitary sewer improvements serving Williamsport Landing Single Family Phase 2 and 3.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this the 8th day of August, 2024.

CHARLES (CHAZ) M. MOLDER - MAYOR

ATTEST:

THAD H. JABLONSKI - CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER - CITY ATTORNEY

Date: 17 June 2024

Columbia City Council
City of Columbia, Tennessee
City Hall
700 North Garden Street
Columbia, Tennessee 38401

Dear Council Members:

I wish to present for dedication to the Council of the City of Columbia, Tennessee, the wastewater system improvements installed to service Williamsport Landing Single Family Phase 2 and 3 in the amount of 3,544 linear feet. The Contractor installed the sanitary sewer according to the Standard Sewer Specifications of the City of Columbia.

You have been provided with CCTV and as-built drawings of the project and all inspections and testing has been completed. All fees required for dedication have been paid. You have also been provided a one-year maintenance surety in the amount of \$85,942.00, set to expire one year from date of Council acceptance.

Acceptance by the Columbia City Council for these wastewater system improvements would be appreciated.

Sincerely,
Signed:



Print:



Lot Numbers to be dedicated:

31-91



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Liz Bermudez, Executive Secretary, liz@columbiatn.com 931.560.1510

AGENDA ITEM TITLE: RESOLUTION NOS. 24-46 THROUGH 24-55 - RESOLUTIONS AUTHORIZING APPROPRIATIONS FOR FINANCIAL AID TO NON-PROFIT ORGANIZATIONS WHOSE SERVICES BENEFIT THE GENERAL WELFARE OF THE RESIDENTS OF THE CITY OF COLUMBIA IN ACCORDANCE WITH TCA SECTION 6-54-111

RECOMMENDATION: Approve Resolutions No. 24-46 through 24-55.

INFORMATION: Resolution No. 24-46– Authorizing an appropriation of \$1,000 to Crimestoppers of Maury County, to help fund general operations for Crimestoppers of Maury County, Inc.

Resolution No. 24-47– Authorizing an appropriation of \$3,000 to James K. Polk Memorial Association to promote tourism, educational activities, support general operations and services.

Resolution No. 24-48– Authorizing an appropriation of \$10,000 to the Boys and Girls Club of Maury County to support general operations and services.

Resolution No. 24-49- Authorizing an appropriation of \$6,550 to South Central Human Resources Agency to support general operations and services.

Resolution No. 24-50– Authorizing an appropriation of \$5,000 to the Family Center, to support general operations and services.

Resolution No. 24-51– Authorizing an appropriation of \$5,000 to Center of Hope to support general operations and services.

Resolution No. 24-52- Authorizing an appropriation of \$3,000 to Columbia Cares, to support agency operational expenses and services.

Resolution No. 24-53– Authorizing an appropriation of \$25,000 to Columbia State Community College for the Southern Regional Technology Center Building (Year 3 of 4).

Resolution No. 24-54– Authorizing an appropriation of \$5,000 to Kid’s Place to support general operations and services.

Resolution No. 24-55– Authorizing an appropriation of \$5,000 to Maury County Harvest Share Food Pantry to support general operation and services.

CERTIFICATION: The Chief Financial Officer certifies that \$68,550 is budgeted and unencumbered in City Council - Special Appropriations.

ATTACHMENTS: Staff Report, Resolutions No. 24-46 through 24-55.

**RESOLUTION TO PROVIDE FUNDING TO ASSIST
CRIME STOPPERS OF MAURY COUNTY, INC., A NONPROFIT
ORGANIZATION**

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated authorizes municipalities to appropriate funds for the financial aid of certain nonprofit organizations which provide year-round services promoting the general welfare of the residents of the municipality; and

WHEREAS, Crime Stoppers of Maury County, Inc. is a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality; and

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated requires that appropriate notice be published in a newspaper of general circulation in the municipality of the intent to make an appropriation to a nonprofit organization specifying the intended amount of appropriation and the purposes for which the appropriation will be spent and that the municipal legislative body must approve the appropriation at one (1) regularly scheduled meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COLUMBIA, as follows:

Section 1: The City Council hereby appropriates the sum of One Thousand (\$1,000) Dollars for the financial aid of Crime Stoppers of Maury County, Inc., a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality.

Section 2: Such funds are hereby appropriated by the City of Columbia for use by Crime Stoppers of Maury County, Inc. and shall be spent for the following purpose: to assist in funding general operations.

All such funds shall be used to promote the general welfare of the residents of the City of Columbia.

Section 3: Crime Stoppers of Maury County, Inc. shall comply with all requirements of Section 6-54-111 of the Tennessee Code Annotated, particularly with

regard to submission of an annual report of its business affairs and transactions and the proposed use of the municipal assistance.

Section 4: Pursuant to Section 6-54-111 of the Tennessee Code Annotated, notice has been run in a newspaper of general circulation in this municipality of the intent to make an appropriation to a nonprofit organization, specifying the intended amount of the appropriation and the purposes for which the appropriation will be spent.

Section 5: This resolution shall take effect upon its passage at one (1) regularly scheduled meeting, the public welfare requiring it.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this _____ day of _____, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

**RESOLUTION TO PROVIDE FUNDING TO ASSIST
JAMES K. POLK MEMORIAL ASSOCIATION, A NONPROFIT
ORGANIZATION**

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated authorizes municipalities to appropriate funds for the financial aid of certain nonprofit organizations which provide year-round services promoting the general welfare of the residents of the municipality; and

WHEREAS, James K. Polk Memorial Association is a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality; and

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated requires that appropriate notice be published in a newspaper of general circulation in the municipality of the intent to make an appropriation to a nonprofit organization specifying the intended amount of appropriation and the purposes for which the appropriation will be spent and that the municipal legislative body must approve the appropriation at one (1) regularly scheduled meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COLUMBIA, as follows:

Section 1: The City Council hereby appropriates the sum of Three Thousand (\$3,000) Dollars for the financial aid of James K. Polk Memorial Association, a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality.

Section 2: Such funds are hereby appropriated by the City of Columbia for use by James K. Polk Memorial Association, and shall be spent for the following purpose: to promote tourism, educational activities, support general operations and services.

All such funds shall be used to promote the general welfare of the residents of the City of Columbia.

Section 3: James K. Polk Memorial Association shall comply with all requirements of Section 6-54-111 of the Tennessee Code Annotated, particularly with regard to submission of an annual report of its business affairs and transactions and the proposed use of the municipal assistance.

Section 4: Pursuant to Section 6-54-111 of the Tennessee Code Annotated, notice has been run in a newspaper of general circulation in this municipality of the intent to make an appropriation to a nonprofit organization, specifying the intended amount of the appropriation and the purposes for which the appropriation will be spent.

Section 5: This resolution shall take effect upon its passage at one (1) regularly scheduled meeting, the public welfare requiring it.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this _____ day of _____, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

**RESOLUTION TO PROVIDE FUNDING TO
ASSIST SOUTH CENTRAL HUMAN RESOURCES AGENCY,
A NONPROFIT ORGANIZATION**

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated authorizes municipalities to appropriate funds for the financial aid of certain nonprofit organizations which provide year-round services promoting the general welfare of the residents of the municipality; and

WHEREAS, South Central Human Resources Agency, is a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality; and

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated requires that appropriate notice be published in a newspaper of general circulation in the municipality of the intent to make an appropriation to a nonprofit organization specifying the intended amount of appropriation and the purposes for which the appropriation will be spent and that the municipal legislative body must approve the appropriation at one (1) regularly scheduled meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COLUMBIA, as follows:

Section 1: The City Council hereby appropriates the sum of Six Thousand Five Hundred Fifty Dollars (\$6,550.00) for the financial aid of South Central Human Resources Agency, a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality.

Section 2: Such funds are hereby appropriated by the City of Columbia for use by South Central Human Resources Agency, and shall be spent for the following purpose: to support general operations and services.

All such funds shall be used to promote the general welfare of the residents of the City of Columbia.

Section 3: South Central Human Resources Agency, shall comply with all requirements of Section 6-54-111 of the Tennessee Code Annotated, particularly with

regard to submission of an annual report of its business affairs and transactions and the proposed use of the municipal assistance.

Section 4: Pursuant to Section 6-54-111 of the Tennessee Code Annotated, notice has been run in a newspaper of general circulation in this municipality of the intent to make an appropriation to a nonprofit organization, specifying the intended amount of the appropriation and the purposes for which the appropriation will be spent.

Section 5: This resolution shall take effect upon its passage at one (1) regularly scheduled meeting, the public welfare requiring it.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this _____ day of _____, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

**RESOLUTION TO PROVIDE FUNDING TO ASSIST
THE FAMILY CENTER, A NONPROFIT ORGANIZATION**

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated authorizes municipalities to appropriate funds for the financial aid of certain nonprofit organizations which provide year-round services promoting the general welfare of the residents of the municipality; and

WHEREAS, The Family Center is a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality; and

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated requires that appropriate notice be published in a newspaper of general circulation in the municipality of the intent to make an appropriation to a nonprofit organization specifying the intended amount of appropriation and the purposes for which the appropriation will be spent and that the municipal legislative body must approve the appropriation at one (1) regularly scheduled meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COLUMBIA, as follows:

Section 1: The City Council hereby appropriates the sum of Five Thousand (\$5,000) Dollars for the financial aid of The Family Center, a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality.

Section 2: Such funds are hereby appropriated by the City of Columbia for use by The Family Center and shall be spent for the following purpose: to support general operations and services.

All such funds shall be used to promote the general welfare of the residents of the City of Columbia.

Section 3: The Family Center shall comply with all requirements of Section 6-54-111 of the Tennessee Code Annotated, particularly with regard to submission of an annual report of its business affairs and transactions and the proposed use of the municipal assistance.

Section 4: Pursuant to Section 6-54-111 of the Tennessee Code Annotated, notice has been run in a newspaper of general circulation in this municipality of the intent to make an appropriation to a nonprofit organization, specifying the intended amount of the appropriation and the purposes for which the appropriation will be spent.

Section 5: This resolution shall take effect upon its passage at one (1) regularly scheduled meeting, the public welfare requiring it.

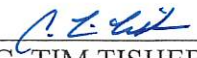
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this _____ day of _____, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

**RESOLUTION TO PROVIDE FUNDING TO ASSIST
CENTER OF HOPE, A NONPROFIT ORGANIZATION**

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated authorizes municipalities to appropriate funds for the financial aid of certain nonprofit organizations which provide year-round services promoting the general welfare of the residents of the municipality; and

WHEREAS, Center of Hope is a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality; and

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated requires that appropriate notice be published in a newspaper of general circulation in the municipality of the intent to make an appropriation to a nonprofit organization specifying the intended amount of appropriation and the purposes for which the appropriation will be spent and that the municipal legislative body must approve the appropriation at one (1) regularly scheduled meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COLUMBIA, as follows:

Section 1: The City Council hereby appropriates the sum of Five Thousand (\$5,000) Dollars for the financial aid of Center of Hope, a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality.

Section 2: Such funds are hereby appropriated by the City of Columbia for use by Center of Hope, and shall be spent for the following purpose: to support general operations and services.

All such funds shall be used to promote the general welfare of the residents of the City of Columbia.

Section 3: Center of Hope shall comply with all requirements of Section 6-54-111 of the Tennessee Code Annotated, particularly with regard to submission of an annual report of its business affairs and transactions and the proposed use of the municipal assistance.

Section 4: Pursuant to Section 6-54-111 of the Tennessee Code Annotated, notice has been run in a newspaper of general circulation in this municipality of the intent to make an appropriation to a nonprofit organization, specifying the intended amount of the appropriation and the purposes for which the appropriation will be spent.

Section 5: This resolution shall take effect upon its passage at one (1) regularly scheduled meeting, the public welfare requiring it.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this _____ day of _____, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

RESOLUTION TO PROVIDE FUNDING TO
ASSIST COLUMBIA CARES, INC.,
A NONPROFIT ORGANIZATION

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated authorizes municipalities to appropriate funds for the financial aid of certain nonprofit organizations which provide year-round services promoting the general welfare of the residents of the municipality; and

WHEREAS, Columbia Cares, Inc., is a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality; and

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated requires that appropriate notice be published in a newspaper of general circulation in the municipality of the intent to make an appropriation to a nonprofit organization specifying the intended amount of appropriation and the purposes for which the appropriation will be spent and that the municipal legislative body must approve the appropriation at one (1) regularly scheduled meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COLUMBIA, as follows:

Section 1: The City Council hereby appropriates the sum of Three Thousand (\$3,000) Dollars for the financial aid of Columbia Cares, Inc., a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality.

Section 2: Such funds are hereby appropriated by the City of Columbia for use by Columbia Cares, Inc., and shall be spent for the following purpose: to support general operations and services.

All such funds shall be used to promote the general welfare of the residents of the City of Columbia.

Section 3: Columbia Cares, Inc., shall comply with all requirements of Section 6-54-111 of the Tennessee Code Annotated, particularly with regard to submission of an annual report of its business affairs and transactions and the proposed use of the municipal assistance.

Section 4: Pursuant to Section 6-54-111 of the Tennessee Code Annotated, notice has been run in a newspaper of general circulation in this municipality of the intent to make an appropriation to a nonprofit organization, specifying the intended amount of the appropriation and the purposes for which the appropriation will be spent.

Section 5: This resolution shall take effect upon its passage at one (1) regularly scheduled meeting, the public welfare requiring it.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this _____ day of _____, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

**RESOLUTION TO PROVIDE FUNDING TO ASSIST
COLUMBIA STATE COMMUNITY COLLEGE, A NONPROFIT
ORGANIZATION**

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated authorizes municipalities to appropriate funds for the financial aid of certain nonprofit organizations which provide year-round services promoting the general welfare of the residents of the municipality; and

WHEREAS, Columbia State Community College is a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality; and

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated requires that appropriate notice be published in a newspaper of general circulation in the municipality of the intent to make an appropriation to a nonprofit organization specifying the intended amount of appropriation and the purposes for which the appropriation will be spent and that the municipal legislative body must approve the appropriation at one (1) regularly scheduled meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COLUMBIA, as follows:

Section 1: The City Council hereby appropriates the sum of Twenty-five Thousand (\$25,000) Dollars for the financial aid of Columbia State Community College, a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality.

Section 2: Such funds are hereby appropriated by the City of Columbia for use by Columbia State Community College, and shall be spent for the following purpose: for the Southern Regional Technology Center Building.

All such funds shall be used to promote the general welfare of the residents of the City of Columbia.

Section 3: Columbia State Community College shall comply with all requirements of Section 6-54-111 of the Tennessee Code Annotated, particularly with

regard to submission of an annual report of its business affairs and transactions and the proposed use of the municipal assistance.

Section 4: Pursuant to Section 6-54-111 of the Tennessee Code Annotated, notice has been run in a newspaper of general circulation in this municipality of the intent to make an appropriation to a nonprofit organization, specifying the intended amount of the appropriation and the purposes for which the appropriation will be spent.

Section 5: This resolution shall take effect upon its passage at one (1) regularly scheduled meeting, the public welfare requiring it.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this _____ day of _____, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

**RESOLUTION TO PROVIDE FUNDING TO ASSIST
KID'S PLACE, A NONPROFIT ORGANIZATION**

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated authorizes municipalities to appropriate funds for the financial aid of certain nonprofit organizations which provide year-round services promoting the general welfare of the residents of the municipality; and

WHEREAS, Kid's Place is a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality; and

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated requires that appropriate notice be published in a newspaper of general circulation in the municipality of the intent to make an appropriation to a nonprofit organization specifying the intended amount of appropriation and the purposes for which the appropriation will be spent and that the municipal legislative body must approve the appropriation at one (1) regularly scheduled meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COLUMBIA, as follows:

Section 1: The City Council hereby appropriates the sum of Five Thousand (\$5,000) Dollars for the financial aid of Kid's Place, a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality.

Section 2: Such funds are hereby appropriated by the City of Columbia for use by Kid's Place, and shall be spent for the following purpose: to support general operations and services.

All such funds shall be used to promote the general welfare of the residents of the City of Columbia.

Section 3: Kid's Place shall comply with all requirements of Section 6-54-111 of the Tennessee Code Annotated, particularly with regard to submission of an annual report of its business affairs and transactions and the proposed use of the municipal assistance.

Section 4: Pursuant to Section 6-54-111 of the Tennessee Code Annotated, notice has been run in a newspaper of general circulation in this municipality of the intent to make an appropriation to a nonprofit organization, specifying the intended amount of the appropriation and the purposes for which the appropriation will be spent.

Section 5: This resolution shall take effect upon its passage at one (1) regularly scheduled meeting, the public welfare requiring it.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this _____ day of _____, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

RESOLUTION TO PROVIDE FUNDING TO ASSIST
MAURY COUNTY HARVEST SHARE FOOD PANTRY,
A NONPROFIT ORGANIZATION

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated authorizes municipalities to appropriate funds for the financial aid of certain nonprofit organizations which provide year-round services promoting the general welfare of the residents of the municipality; and

WHEREAS, Maury County Harvest Share Food Pantry is a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality; and

WHEREAS, Section 6-54-111 of the Tennessee Code Annotated requires that appropriate notice be published in a newspaper of general circulation in the municipality of the intent to make an appropriation to a nonprofit organization specifying the intended amount of appropriation and the purposes for which the appropriation will be spent and that the municipal legislative body must approve the appropriation at one (1) regularly scheduled meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COLUMBIA, as follows:

Section 1: The City Council hereby appropriates the sum of Five Thousand (\$5,000) Dollars for the financial aid of Maury County Harvest Share Food Pantry, a nonprofit organization whose year-round services promote the general welfare of the residents of this municipality.

Section 2: Such funds are hereby appropriated by the City of Columbia for use by Maury County Harvest Share Food Pantry, and shall be spent for the following purpose: to support general operations and services.

All such funds shall be used to promote the general welfare of the residents of the City of Columbia.

Section 3: Maury County Harvest Share Food Pantry shall comply with all requirements of Section 6-54-111 of the Tennessee Code Annotated, particularly with

regard to submission of an annual report of its business affairs and transactions and the proposed use of the municipal assistance.

Section 4: Pursuant to Section 6-54-111 of the Tennessee Code Annotated, notice has been run in a newspaper of general circulation in this municipality of the intent to make an appropriation to a nonprofit organization, specifying the intended amount of the appropriation and the purposes for which the appropriation will be spent.

Section 5: This resolution shall take effect upon its passage at one (1) regularly scheduled meeting, the public welfare requiring it.

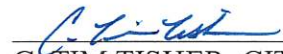
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this _____ day of _____, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Michele Stevens, Administrative Assistant, mstevens@columbiatn.com, 931-560-1010

AGENDA ITEM TITLE: RESOLUTION NO. 24-56 - A RESOLUTION TO ACCEPT THE OWNERSHIP AND MAINTENANCE OF SEWER IMPROVEMENTS SERVING VESPER COURT

RECOMMENDATION: Approve Resolution No. 24-56.

INFORMATION: Vesper Court consists of 467 linear feet of 8" sanitary sewer main. The Developers met all of the qualifications for acceptance. The Wastewater Department has performed the necessary testing and inspections.

CERTIFICATION:

ATTACHMENTS:

Resolution No. 24-56

Resolution No. 24-56 Dedication Letter

**A RESOLUTION TO ACCEPT THE OWNERSHIP AND MAINTENANCE OF
SEWER IMPROVEMENTS SERVING VESPER COURT**

WHEREAS, The City of Columbia, has been requested to accept ownership and maintenance of 467 linear feet of 8" gravity main serving Vesper Court; and

WHEREAS, the City of Columbia has inspected said sewer improvements and has determined that said sewer improvements meet the requirements imposed by the City of Columbia.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COLUMBIA, that the City of Columbia does hereby accept the ownership and maintenance of said sanitary sewer improvements serving Vesper Court.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this the 8th day of August, 2024.

CHARLES (CHAZ) M. MOLDER - MAYOR

ATTEST:

THAD H. JABLONSKI - CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER - CITY ATTORNEY

Date: 26 June 2024

Columbia City Council
City of Columbia, Tennessee
City Hall
700 North Garden Street
Columbia, Tennessee 38401

Dear Council Members:

I wish to present for dedication to the Council of the City of Columbia, Tennessee, the wastewater system improvements installed to service Vesper Court in the amount of 467 linear feet. The Contractor installed the sanitary sewer according to the Standard Sewer Specifications of the City of Columbia.

You have been provided with CCTV and as-built drawings of the project and all inspections and testing has been completed. All fees required for dedication have been paid. You have also been provided a one-year maintenance surety in the amount of \$11,324.75, set to expire one year from date of Council acceptance.

Acceptance by the Columbia City Council for these wastewater system improvements would be appreciated.

Sincerely,

Signed:

 , President P-R Vespene, LLC

Print:

BLAKE SEIBERGER, President P-R Vespene, LLC

Lot Numbers to be dedicated:

Lot #'s 1-17



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Ginger Adams, Senior Administrative Assistant, gadams@columbiatn.gov, 931-560-1723

AGENDA ITEM TITLE: A RESOLUTION TO APPROVE THE CITY OF COLUMBIA'S APPLICATION FOR THE FEMA-4792-DR-TN PUBLIC ASSISTANCE GRANT, ACCEPT THE AWARD AND AUTHORIZE THE MAYOR TO EXECUTE DOCUMENTS RELATED TO ACCEPTING AND ADMINISTERING THE GRANT PROJECT – FIRE & RESCUE.

RECOMMENDATION: Approve.

INFORMATION: The President of the United States issued a major disaster declaration for damages resulting from a tornadic event on May 8, 2024 in certain areas of the State of Tennessee to include Maury County.

Columbia Fire & Rescue is requesting City Council ratify the application for the FEMA-4792-DR-TN Public Assistance Grant. If awarded, these funds will be utilized to recover costs associated with damages as a result of this disaster.

Any funds received would be shared as follows: FEMA 75%; TEMA 12.5%; City of Columbia 12.5%.

CERTIFICATION: The Chief Financial Officer certifies that funds will be proposed in a forthcoming budget amendment following receipt of the executed grant contract.

ATTACHMENTS: Staff Report, Resolution No. 24-58.

**A RESOLUTION TO APPROVE THE CITY OF COLUMBIA'S APPLICATION FOR
THE FEMA-4792-DR-TN PUBLIC ASSISTANCE GRANT, ACCEPT THE AWARD
AND AUTHORIZE THE MAYOR TO EXECUTE DOCUMENTS RELATED TO
ACCEPTING AND ADMINISTERING THE GRANT PROJECT**

WHEREAS, the President of the United States issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the "Stafford Act"), for damages resulting from a tornadic event on May 8, 2024 in certain areas of the State of Tennessee to include Maury County; and

WHEREAS, the City of Columbia is eligible for funds under the FEMA-4792-DR-TN Public Assistance Grant; and

WHEREAS, such grant provides the opportunity to recover mitigation costs; and

WHEREAS, the City of Columbia will utilize said monies to recover costs associated with damages as a result of the disaster; and

WHEREAS, any funds received would be shared as follows: FEMA 75%; TEMA 12.5% and the City of Columbia 12.5%.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COLUMBIA, as follows:

1. That the City of Columbia is hereby authorized to apply for the FEMA-4792-DR-TN Public Assistance Grant;
2. The City Council hereby agrees to accept any awarded funds;
3. The Mayor is hereby authorized and directed to enter into all necessary agreements to receive and administer such funds;
4. The City of Columbia is hereby authorized to pay 12.5% of said grant amount in matching funds.

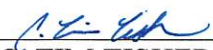
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this the ____ day of _____, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Lauryn Shockey, Administrative Assistant, LShockey@columbiatn.gov, 931-560-1529

AGENDA ITEM TITLE: A RESOLUTION TO AUTHORIZE THE CITY OF COLUMBIA TO APPLY FOR THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION STATEWIDE PARTNERSHIP PROGRAM FOR THE WIDENING OF BEAR CREEK PIKE (SR99) FROM NASHVILLE HWY TO INTERSTATE 65.

RECOMMENDATION: Approve Resolution 24-59.

INFORMATION: A Resolution to authorize the City of Columbia to apply for Tennessee Department of Transportation (TDOT) 2024 Statewide Partnership Program (SPP). As part of TDOT's 10-Year Project Planning process, the 2024 Statewide Partnership Program would be essential in funding the City of Columbia project to widen 7.2 miles of Bear Creek Pike (SR-99/US-412) from Nashville Highway (SR-6/US-31) to Interstate 65.

This segment of Bear Creek Pike provides a regional connection to interstate 65, and has become an increasing priority for the City of Columbia due to the impacts that increasing traffic (along this corridor) will create regarding safety, congestion, and economic opportunities. The city is currently developing plans for the Nashville Hwy and Bear Creek Pike Intersection (PIN:125912.00), and TDOT recently constructed the interchange modification project at Bear Creek Pike and Interstate 65 (PIN:115786.00). Once these two bookends of this road segment are complete, traffic will significantly increase along the route, enhancing the sense of urgency regarding this widening project and opportunity.

The widening of Bear Creek Pike is a need which will only continue to rise. This issue is widely supported in our community, including our legislative delegation. Given the timing of the above stated projects, the timing of this application, and indeed this project, could not be better. Partnering with TDOT would create an opportunity to accomplish this identified city goal along with enhancing and improving the local, state and federal transportation system. The City of Columbia pledges \$1,000,000 per year for 10 years (\$10,000,000) to assist in funding this project. This commitment represents what would be the largest financial commitment, in partnership with a state agency, in city history.

CERTIFICATION: The Chief Financial Officer certifies that funds will be proposed in a forthcoming budget amendment following receipt of the executed grant contract.

ATTACHMENTS: SPP Staff Report; Resolution 24-59, TDOT Statewide Partnership Program Fact Sheet

**A RESOLUTION TO AUTHORIZE THE CITY OF COLUMBIA TO APPLY FOR
THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION
STATEWIDE PARTNERSHIP PROGRAM FOR THE WIDENING OF BEAR
CREEK PIKE (SR99) FROM NASHVILLE HWY TO INTERSTATE 65**

WHEREAS, the City of Columbia is eligible for funds under the State of Tennessee Department of Transportation Statewide Partnership Program (SPP); and

WHEREAS, funds are available to local jurisdictions, municipalities, and counties; and

WHEREAS, funds are also available for highway capacity, highway ITS/system operations, highway safety, major bridge projects, major pavement projects, and projects currently included in an MPO TIP; and

WHEREAS, the City of Columbia wishes to widen approximately 7.2 miles of Bear Creek Pike (SR99/US-41) from Nashville Highway (SR-6/US31) to Interstate 65.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COLUMBIA, as follows:

- (1) The Mayor is hereby authorized and directed to execute and submit an application for the Tennessee Department of Transportation Statewide Partnership Program.
- (2) The Mayor is hereby authorized and directed to enter into all necessary agreements to receive and administer such funds.
- (3) The City of Columbia pledges \$1,000,000 per year for ten (10) years (\$10,000,000) to assist in funding this project.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this 8th day of AUGUST, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

Statewide Partnership Program

Outstanding Project Needs

Following the passage of the 2023 Transportation Modernization Act, the Tennessee Department of Transportation (TDOT) released its first fiscally constrained 10-Year Project Plan. This new process represents an evolution in philosophy at TDOT regarding how we fund and deliver transportation projects. We have taken a critical eye to our projects statewide with the mindset of **“what gets started, gets finished”** to better serve Tennessee with greater accountability and communication.

As part of TDOT’s 10-Year Project Planning process, the Statewide Partnership Program (SPP) is a critical avenue for local stakeholders to provide input on their priorities to better inform the annual reassessment of TDOT’s 10-Year Project Plan. The program supports local authorities in **maximizing funding dollars** for critical local mobility and economic development needs.

TDOT is committed to working with Tennessee’s local jurisdictions, municipalities, and counties, through their respective MPOs and RPOs to identify priorities and **accelerate projects with identified local funding and support**. Accordingly, all submissions gathered through this process will be evaluated for inclusion in TDOT’s updated 10-Year Project Plan, which will be released in December 2024. All project proposals will be evaluated based on performance, deliverability, and cost. TDOT intends to prioritize projects that are MPO and RPO priorities and represent **a significant financial investment by locals** with funds that efficiently leverage non-state funding sources. The SPP is primarily meant as a first step in the planning process to gather data on local needs, priorities, and ability to partner with TDOT. Think of this new process as “open enrollment” for TDOT projects; rather than communities advocating for their priorities at disparate and ad-hoc times throughout the year, this structure allows for standardized information to be provided during a specific period. While submissions gathered are not guaranteed to receive funding, all information provided is essential in the development of future 10-Year Plans and for TDOT to better understand, and further communicate, the outstanding critical transportation funding needs in Tennessee.

When you’re ready to engage, contact your MPO/RPO coordinator or TDOT Office of Community Transportation (OCT) representative for the next steps.

Eligible Projects

- Highway Capacity (e.g., lane addition, roadway extension)
- Highway ITS/system operations (e.g., technology upgrades, operation)
- Highway safety (e.g., roadway geometric, design, or operation improvements targeted to a safety need)
- Major bridge project (e.g., replacement or reconstruction)
- Major pavement project (e.g., rehab or reconstruction)
- Projects currently included in an MPO TIP for funding consideration are encouraged. The MPO TIP would be listed as the source for committed funding.

2024 Timeline

- **July 8 – August 30**
Accepting applications
- **September – November**
Apply prioritization process and program projects
- **December**
Present updated 10-year plan



For More Information, including Frequently Asked Questions (FAQ), visit the Statewide Partnership Program webpage.

Frequently Asked Questions

How much SPP funds are available?

The SPP is not a grant. The purpose is to achieve two primary objectives:

1. Advance needed highway improvements in communities in Tennessee for which funding locally has already been identified, secured, or committed on projects that are already underway or can be delivered in TDOT's updated 10-year plan.

2. Holistically understand the needs of the state in terms of highway transportation investments that are already in the project development process and/or that communities see as a priority and have already begun to commit funding on to advance.

As TDOT updates the 10-Year Plan, the department will use the SPP submissions to determine if TDOT funding can help advance these projects in the next 10 years. All submissions will be used to communicate the outstanding transportation funding needs of the State.

Who can submit?

The SPP is for local jurisdictions, municipalities, and counties, and we are asking communities to work with their respective MPO or RPO to ensure project submittals are in their region's long-range transportation plan and/or to ensure that these regional entities are aware of needs within their region.

What funding sources can be used for local contribution? Can there be multiple sources? Can private funds be used?

Communities can use any type of funding they have available to them. This could include city or county funds, private funds, federal funds such as STBG local, or other funds that are outside TDOT funding.

Does the project need to be in a plan or STIP/TIP?

While a project does not need to be in a current STIP/TIP to be submitted as part of the SPP, projects that are in a current STIP/TIP are likely further along in the project development process and that will factor into TDOT's review as the 10-Year Project Plan is updated.

Why should I submit a project?

If your community intends to request TDOT partnership on a project, this is the means to submit that information, even if previously submitted.

With a philosophy of "what gets started, gets finished" TDOT must understand projects that are already in the project development process, and/or where a community requires TDOT funding. TDOT's 10-Year Plan is intended to see projects to completion. In the past, funding on projects was not comprehensively budgeted which has led to long delays in projects advancing and not having sufficient funding for completion of the project. If a community is relying on TDOT funding for their project, TDOT needs to know of that through this process to better inform our annually updated 10-Year Project Plan.

Is there a minimum cost requirement for a project to be considered?

No, the goal of the SPP is to understand highway investment needs in Tennessee for which communities are invested, and to advance projects for which significant investments have already been made locally or that a community is willing to contribute at a level that illustrates the importance of the project to their area.

I see a project in the current 10-Year Plan that is in an outer year. If my community wants to see that project delivered sooner, should I submit a SPP application for that project if my community is willing to bring funding to the table?

Projects in the current 10-Year Plan are fiscally constrained (meaning funding is available for that project in a certain year based on TDOT's available funds). If a community was able to bring local, private, or STBG local or urban funds to the table for that project it is feasible that the project in the current 10-Year Plan could occur sooner.

If I don't submit by August 30th, can I submit later in the year?

TDOT is realigning its processes to have an annual SPP period that is aligned with the annual update of the 10-Year Project Plan. You must submit this cycle; otherwise, you will have to wait until 2025 when we open the SPP window again. This is the time and place to submit project requests to TDOT.

TDOT also acknowledges that Tennessee is, fortunately, a rapidly growing state, because of our sound economic policies and pro-business environment. TDOT works closely with the Tennessee Department of Economic and Community Development (ECD) to ensure communities are provided with infrastructure needs if communities attract significant economic development projects. Should such projects be proposed outside of this new planning window, TDOT will of course coordinate with ECD to ensure economic development projects are supported.

If I have a project that is not eligible for the SPP Program, is there another way I can apply for funding?

The SPP is largely for highway improvement projects. TDOT has other funding programs and grants for which communities can submit projects such as sidewalks and bikeways improvements, transit investments, as well as rail and aviation projects. Those types of projects are typically funded through TDOT's annual grant calls and information on those programs can be found in TDOT's Transportation Funding Database.





CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Wanda McClain, HR Director, wmcclain@columbiatn.gov 931.560.1570

AGENDA ITEM TITLE: RESOLUTION NO. 24-60 - A RESOLUTION REPEALING AND DELETING THE CURRENT PERSONNEL POLICIES AND PROCEDURES MANUAL OF THE CITY OF COLUMBIA AND REPLACING SUCH MANUAL WITH A NEW PERSONNEL POLICIES AND PROCEDURES MANUAL FOR THE CITY OF COLUMBIA TENNESSEE WITH AN EFFECTIVE DATE OF SEPTEMBER 1, 2024

RECOMMENDATION: Approve Resolution No. 24-60.

INFORMATION: The following section of the Policy Handbook has the following Changes:

1. Section 201 Equal Employment Opportunity; The Pregnancy Workers Fairness Act, American Disabilities section, Commitment to Diversity
2. Section 202 Recruitment: A retiree returns to full-time employment, and at the end of said employment, the retiree's pre-2012 health insurance benefits will be re-established. Exit interviews will be held for employees resigning from a position.
3. Section 208 Appointments Selection section explaining the promotional pay process
4. Section 309 5% additional increase for Post Bachelor's degree
5. Section 401 Vacation carryover has been changed to 240 hours
6. Section 708 Travel The City Manager must approve all Department Head travel in advance

ATTACHMENTS: Staff Report, Resolution No. 24-60.

**A RESOLUTION REPEALING AND DELETING THE CURRENT PERSONNEL
POLICIES AND PROCEDURES MANUAL OF THE CITY OF COLUMBIA AND
REPLACING SUCH MANUAL WITH A NEW PERSONNEL POLICIES AND
PROCEDURES MANUAL FOR THE CITY OF COLUMBIA TENNESSEE WITH AN
EFFECTIVE DATE OF SEPTEMBER 1, 2024**

WHEREAS, the City of Columbia, Tennessee, has previously adopted a Personnel Policies and Procedures Manual; and

WHEREAS, it is in the best interest of the City of Columbia to continually revise and maintain a manual expressing the current personnel policies and procedures of the City, ensuring that the city is always operating with the most up-to-date guidelines.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF COLUMBIA as follows:

1. The Personnel Policies and Procedures Manual of the City of Columbia, Tennessee is hereby repealed and deleted in its entirety and replaced with the new Personnel Policies and Procedures Manual which is hereby approved and adopted and which is attached hereto as Exhibit "A" and incorporated herein by reference.
2. Such manual represents a statement of the current personnel policies and procedures and does not constitute an employment contract. Therefore, the City of Columbia, specifically reserves the right to alter, change or delete any or all of such personnel policies or procedures without the necessity of prior notice to any employee.
3. Any Resolutions, policies, and procedures in conflict with the policies and procedures expressed in said manual are hereby repealed.
4. This Resolution shall take effect on September 1, 2024.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this the 8th day of August, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:

C. Tim Tisher
C. TIM TISHER, CITY ATTORNEY

Personnel Policies and Procedures

of the City of Columbia, Tennessee

Adopted August 8, 2024 by City Council Resolution No. 24-60

Effective: September 1, 2024

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101 - PURPOSE AND OBJECTIVES

The primary purpose of these policies is to establish a high degree of understanding, cooperation, efficiency, and unity among employees of the City of Columbia, fostered by a systematic application of good procedures in personnel management. Another purpose is to provide uniform policies for all employees with all the benefits such a program ensures, without regard to race, color, creed, religion, national origin, gender, age, disability, or political affiliation.

The fundamental objectives of these personnel management policies are to:

- Promote and increase effectiveness among employees of the City; and
- Provide fair and equal opportunity to all employees and qualified applicants on the basis of demonstrated merit and fitness as ascertained through fair and practical methods of selection; and
- Develop a program of recruitment, advancement, and tenure that will make employment with the City attractive as a career and encourage each employee to render the best service; and
- Establish and promote high morale among employees by providing a good working environment, a uniform personnel policy, opportunities for advancement, and consideration for employee needs and desires.

102 - PERSONNEL POLICY STATEMENT

All qualified applicants will receive equal consideration for employment without regard to race, color, national origin, sexual orientation, religion, sex, pregnancy, marital status, age, physical or mental disability, or covered veteran status. The preceding statement will serve as the City's non-discrimination statement throughout this handbook.

Employment and Placement

- It is the policy of the City to apply and foster a sound program of personnel management. Specifically, it is the declared intent of the City to:
- Ensure eligibility and other terms and conditions of employment benefits at the City of Columbia are governed by laws and regulations of the State of Tennessee, and this non-discrimination statement is intended to be consistent with those laws and regulations.
- Act in accordance with the requirements of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.
- Investigate inquiries and charges in violation of Title VI (race, color, and national origin), Section 504 (disability), ADA (disability), Age Discrimination in Employment Act (age), or veteran status should be directed to the Human Resources Department. Requests for accommodation of a disability should be directed to the Human Resources Department.
- Establish programs for the promotion, transfer, demotion, dismissal, and reassignment of personnel in concert with applicable legislation.

Position Classification and Pay Administration

The City shall:

- Establish and maintain job descriptions for every position with the descriptions maintained on file with the Personnel Director and department head; and
- Review position descriptions periodically and systematically with the employee to ensure the descriptions remain accurate and reflect current job duties; and
- Establish appropriate minimum requirements and to group positions in classes with similar standards; and
- Measure competitiveness of wages and salaries by conducting periodic surveys of area wages and salaries.

Employee Relations and Services

The City will:

- Develop a system of job performance standards and evaluation, and inform each employee periodically and systematically of the status of his or her job performance; and
- Establish rules and standards governing employee conduct; and
- Administer a uniform leave program; and
- Provide employee grievance procedures; and
- Inform employees of their responsibilities, rights, and privileges; and
- Provide and maintain a safe and healthful work environment.

Employee Development and Training

- Establish training and performance standards and requirements for all positions; and
- Motivate and stimulate employees to achieve their highest potential.

Records

- Establish and maintain comprehensive and uniform personnel records.

103 - COVERAGE

These policies and procedures apply to all employees of the City, except as otherwise specified by this document, the Charter, and/or the Ordinances of the City.

All City offices and positions are divided into classified service and non-classified service. Classified service consists of all positions of employment in the City's service unless specifically placed in non-classified service. Non-classified service consists of the following positions:

- all elected officials; and
- members of appointed boards and commissions; and
- the City Manager; and
- the City Attorney; and
- the City Judge; and
- consultants, advisers, and legal counsel rendering professional service; and
- independent contractors.

Administration

These personnel policies and procedures shall be administered by the City Manager under the direction of the City Council and in conformity with the Charter and Municipal Code provisions establishing the City's personnel system.

104 - AMENDMENTS, SEVERABILITY, CONFLICT WITH CHARTER

Amendments

Amendments or revisions to these personnel policies and procedures shall become effective after being approved by a Resolution of the City Council.

Severability

Each section, subsection, paragraph, sentence, and clause of this policy document is hereby declared to be separable and severable. The invalidity of any section, subsection, paragraph, sentence, or clause shall not affect the validity of any other portion of these policies, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted.

Conflict with Applicable Law

These personnel policies and procedures are believed to be written within the framework of the Charter of the City, State, and Federal law, but, in case of conflict, Federal and then State law takes precedence.

Policies Do Not Constitute a Contract

These personnel policies and procedures are for information only. This is not an employment contract. This document is a statement of current policies, practices, and procedures. Nothing in this document is to be interpreted as giving employees any more property rights in their jobs than may already be given by the Charter. These personnel policies and procedures shall be reviewed periodically. The City reserves the right to change any or all such policies, practices, and procedures in whole or in part at any time, with or without notice to employees.

SECTION 200 EMPLOYMENT

201 – EQUAL EMPLOYMENT OPPORTUNITY

The City of Columbia is firmly committed to ensuring that equal opportunity and access are afforded to all its employees, as well as prospective employees. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. It is vital, therefore, that we are all reminded of these issues and reaffirm our commitment throughout the course of our employment.

The City strives to provide a work environment conducive to the personal and professional development of its employees. With a workforce that possesses the core competencies necessary for effective service, the City is dedicated to serving the citizens of Columbia through education, leadership development, research, and service.

The City of Columbia has developed this policy to ensure that all its employees can work in an environment free from unlawful harassment, discrimination, and retaliation. The City of Columbia will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Employees are protected against employment discrimination when it involves:

- Unfair treatment because of race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, sexual orientation, gender identity or expression, genetic information, or any other characteristic protected by law.
- Denial of a reasonable workplace accommodation that the employee may need because of their religious beliefs or disability.
- Retaliation because the employee complained about job discrimination or assisted with a job discrimination investigation or lawsuit.

Complaints

The City of Columbia encourages reporting of all perceived incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with their immediate supervisor or any member of the Human Resources department. See the complaint procedure described below.

In addition, The City of Columbia encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and to request that it be discontinued. Often this action alone will resolve the problem. The City recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with their immediate supervisor or the personnel department.

The City encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

The City will maintain confidentiality throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Misconduct constituting harassment, discrimination, or retaliation will be dealt with appropriately.

If a party to a complaint does not agree with the resolution, that party may appeal as outlined in Policy 919 – Appeals and Grievance.

False and malicious complaints of harassment, discrimination, or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

The Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act (Pub. L. 117-328) (PWFA), as it appears in volume 42 of the United States Code, at section 2000gg. The PWFA, which is administered and enforced by the EEOC, requires covered employers to provide reasonable accommodations to a worker's known limitations related to pregnancy, childbirth, or related medical conditions unless the accommodation will cause the employer an undue hardship.

American Disabilities

The City of Columbia is committed to the fair and equal employment of individuals with disabilities under the ADA. It is the City of Columbia's policy to provide reasonable accommodation to qualified individuals with disabilities unless the accommodation would impose an undue hardship on the city. The City of Columbia prohibits any harassment of, or discriminatory treatment of, employees or applicants based on a disability or because an employee has requested a reasonable accommodation.

Commitment to Diversity

The City of Columbia is committed to creating and maintaining a workplace where all employees can participate and contribute to its success and are valued for their skills, experience, and unique perspectives. The commitment is embodied in City Policy and how we do business at the City of Columbia and is an essential principle of sound city management.

202 - RECRUITMENT

The foundations of staffing management encompass finding qualified employees, attracting them, employing them strategically in the organization, and keeping them for the long haul.

The City of Columbia is committed to employing the best qualified candidates for approved positions while engaging in recruitment and selection practices that are in compliance with all applicable employment laws. It is the policy of the City to provide equal employment to all applicants and employees. In addition, hiring decisions are based on the requirements of the job as outlined in the job description.

A personnel requisition form and the appropriate authorization is required to initiate any action for an open position including any recruitment efforts, advertising, interviewing and offers of employment.

All jobs require a job description. Among other things, job descriptions are important tools for maintaining compliance with the Fair Labor Standards Act and Americans with Disabilities Act, recruitment and selection, and assessing employee performance.

Position Announcements

The following standardized procedures for filling position vacancies are to be used:

A department head desiring to fill a vacancy for any position shall submit a personnel requisition form to the Human Resources Department. The requisition must be approved by the City Manager.

Upon receipt of the completed requisition, the position will be posted on the City's website internally for a minimum of five (5) business days, unless the position is to be filled from a current eligibility list. Only applications submitted directly via the website will be considered. Preliminary screening of candidates to determine whether minimum qualifications have been met will be done by Human Resources and the hiring authority. Only applicants meeting minimum requirements for the position will advance in the recruitment process.

To assist with determining the suitability or desirability of an applicant, written, oral or other tests may be used. Employment testing, including personality tests, intelligence tests, work samples, assessment centers and performance-based assessments may be used. However, Human Resources must approve all tests that are administered.

The hiring manager will identify member(s) to serve on the committee (3 – 5 members) consisting of:

- At least one individual who has a strong understanding of the role and its contribution to the department;
- A job specialist (technical or functional), if appropriate;
- An individual who will interact closely with the position (mentor);

- A HR staff member;
- The hiring authority.

After testing and interviews have been completed, the committee will recommend a candidate for the position. The hiring authority or designee will notify Human Resources of the selected finalist, pay rate, anticipated start date, complete the Applicant Pool form and forward it to Human Resources. The hiring authority or designee can then notify the candidate with the conditional offer and personnel will initiate an offer letter. After the selected candidate has accepted and completed the requirements of the conditional offer, a Personnel Action Form will be completed, whereby the City Manager confirms the hire.

The provisions of this policy will not apply to Department Head selection decisions. All communications with applicants at this level will be handled by the City Manager in consultation with the Human Resources Department.

Retirees Working for the City

In order to utilize the skills and experience of the City's retirees, all departments that have part-time and/or temporary/seasonal employment opportunities at various times throughout the year are encouraged to consider and, when there is a good match for employment, hire City retirees in filling these positions.

Retirees must meet the minimum requirements for any position they fill. If they meet the qualifications for the position, retirees earning retirement benefits from the City will be considered and allowed to return to work part-time and / or full-time. For those retirees under the old pre-2012 (rule of 80) retirement plan, their retired insurance benefits will be re-established after they leave the City's employment.

EXIT INTERVIEWS

The HR department will contact an employee who voluntarily resigns to schedule an exit interview appointment. The Department head may also conduct exit interviews if the employee prefers. The exit interview documents will be maintained and stored in the employee's personnel file, which is located in Human Resources.

203 - APPLICATIONS

A goal of the City is to attract qualified applicants for all City positions. In so doing, the Human Resources Department may utilize the following methods of recruitment: place ads in local and area newspapers, on the City's website, professional association list serves and websites, direct mail, tele-recruiting, and direct recruiting to ensure a qualified applicant pool can be obtained.

Most full and part time regular positions are filled from conducting local and regional searches. For Police and Fire, an eligibility list established as a result of competitive examinations and interviews is utilized. The examination may consist of a written exam, performance test, oral interviews, assessment center, or any combination of these as established.

All applicants must complete an employment application available on the City's website. Employment applications are accepted only for open and advertised positions and only during the period of time the City establishes for each announcement.

The City does give preference in the hiring process to military veterans who are qualified covered veterans. It will be necessary for applicants to be present at the time of filing the application discharge documents showing dates of entry, discharge, and honorable service. Proof of claimed service must be presented in the form of a DD 214 or a V.A. letter with appropriate orders, if necessary, and proof of disability related to the service.

The Human Resources Department will make reasonable accommodations in the application process to applicants with disabilities, who request such accommodation.

An applicant may be removed from consideration if he or she:

- declines an appointment when offered;
- cannot be located by the contact information provided in the application material;
- fails to undergo and pass a post-offer/pre-employment drug test that produces a negative drug screen result;
- fails to successfully complete a criminal background check;
- has made a false statement of material fact on, or has omitted material information from, his or her employment application;
- does not file the application within the period specified in the application/examination announcement or does not use the prescribed form or uses a different format than allowed as a reasonable accommodation; and/or does not possess the minimum qualifications as indicated by the job description.

204 -PRE-EMPLOYMENT EXAMINATIONS

All appointments in the City shall be made according to merit and fitness and may be subject to competitive examination. All such examinations shall fairly and impartially test those matters relevant to the capacity and fitness of the applicant to efficiently execute the duties of the position to be filled.

The pre-employment examinations held to establish eligibility and fitness for any position may consist of one or more of the following parts as determined by the department in consultation with Human Resources. The Human Resources Department will make reasonable accommodations in the examination process to applicants with disabilities, who request such accommodation.

Written Test

When required, shall include a written demonstration designed to show the applicant's knowledge, skill and ability for the position to which he or she is seeking appointment.

Oral Test

Shall include a personal interview where the ability to deal with others, to meet the public, and/or other personal qualifications are to be evaluated. An oral test may also be used in examinations where a written test is unnecessary or impractical or as a reasonable accommodation to someone unable to take a written test due to a disability.

Performance Test

Shall involve performance tests to aid in determining the ability and manual skills of applicants to perform the essential function of the position.

Physical Ability Test

When required consists of job-related tests of bodily conditioning, muscular strength, agility, and physical fitness of job applicants for a specific position.

Mental Test

Includes any test to determine mental alertness, general capacity of the applicant to adjust his or her thinking to new problems, or to ascertain special character traits and attitudes.

Computerized Voice Stress Analysis (CVSA)

Uses only a microphone plugged into the computer to analyze the subject's responses. As the subject speaks, the computer displays each voice pattern, numbers it and saves each chart to file. Micro tremors are tiny frequency modulations in the human voice. When a test subject is lying, the automatic, or involuntary nervous system, causes an inaudible increase in the Micro tremor's frequency. The CVSA® detects, measures, and displays changes in the voice frequency.

Post-Offer Drug Test

Post-offer/pre-employment drug testing shall be required of all applicants to whom a conditional offer of employment is made, and such testing must produce a verified negative drug screen result before such applicant shall be permitted to begin employment with the City. Job applicants will be denied employment with the City and any conditional offer of employment will be rescinded if their pre-employment drug test results have been verified by the City's Medical Review Officer (MRO) as positive diluted, altered or if they refuse to submit to a pre-employment test for drug abuse.

Medical Examinations

Following a conditional offer of employment, every prospective regular employee may be required to undergo a medical and/or psychological examination if required, conducted by a licensed health care provider selected by the City. The Human Resources Department will schedule these medical examinations and related tests. The medical examination will focus on whether prospective employees can perform the essential functions of the position offered, and will provide baseline medical information about the prospective employee's general condition of health. The cost of this medical examination shall be borne by the City.

Post Offer Background Checks

Background screenings and verification of relevant information help protect the safety and security of the City's staff and guests, as well as City assets, by reducing the likelihood of crime, injury or loss, and increasing confidence in the City's workforce. Background checks will be performed post- offer prior to beginning work for the City for all positions.

Review of Background Screening Results

A criminal record, negative credit history, or other adverse results is not an automatic bar to employment at the City. The City will consider the passage of time and the severity, frequency, and nature of a conviction, as well as its relationship to the position in question. Other factors may include the candidate's full disclosure of the conviction during the application process (e.g., application, interview). Department heads may also consult with appropriate staff as part of that review (e.g., Human Resources, City Manager, City Attorney) to determine whether the finalist has passed the screening.

Motor Vehicle Records (MVR) Check

City employees who use or perform maintenance on City vehicles will undergo regular MVR searches (e.g. to ensure driver's license is in good standing). In addition, positions requiring a Commercial Driver's License will also be subject to MVR searches. Appropriate screenings may occur at other times, if circumstances warrant it or as required by law.

205 CATEGORIES OF EMPLOYEES

Active Employee – A current employee who receives recurring biweekly paychecks.

Exempt Employee – An employee exempt from the overtime provisions of the Federal Fair Labor Standards Act, generally including salaried executive, administrative, professional and specific other employees.

Non-Exempt Employee – An employee not exempt from the overtime provisions of the Federal Fair Labor Standards Act, generally hourly employees.

Full-time Regular Employee – An employee, who usually is and regularly scheduled to work 40 or more hours per workweek or, (and only) in the case of shift personnel of the Fire & Rescue Department, 216 or more hours per four-week work period in a full-time budgeted position.

Part-time Regular Employee – An employee who is usually and regularly scheduled to work no more than 28 hours per workweek (**1456 hours**). Part-time employees are eligible for benefits required by law.

Full-time Temporary Employee - Hired to work 40 hours per week for a specified, limited time period or hired to complete a specified project or assignment. Not eligible for benefits except as required by law.

Part-time Temporary Employee - Hired to work 30 hours per week or less for a specified, limited time period or hired to complete a specified project or assignment. Part-time employees are eligible for benefits required by law.

Volunteer Employee – An individual who works for the City for no compensation or remuneration of any kind. A Personnel Action Form will be initiated and an emergency contact form will be completed for anyone volunteering for the City.

206 - MINIMUM AGE

The City will not hire any individual less than sixteen (16) years of age. For sworn personnel of the Police Department employees must be at least twenty-one (21) years of age. Fire Suppression personnel are required to be at least eighteen (18) years of age.

207 - NEPOTISM

Decisions about hiring, promoting, evaluating, awarding salary increases, and terminating employees are based on qualifications for the position, knowledge, skill, ability, and performance. Every attempt is made to avoid favoritism. The policy is intended to ensure effective supervision, internal discipline, security, safety, and positive morale in the workplace. It also seeks to avoid the perception of favoritism, conflicts in loyalty, discrimination, the appearance of impropriety, and conflicts of interest.

Notwithstanding this policy, the City of Columbia retains the right to refuse to appoint a person to a position in the same department, division or facility, wherein his/her relationship to another employee has the potential for creating adverse impact on supervision, safety, security or morale, or involves a potential conflict of interest. The department head shall have the authority and responsibility for determining if such a potential for adverse impact exists or does not exist. This policy applies to individuals who are related by blood, marriage, domestic partners or adoption.

If any two employees are in violation of this nepotism policy without the specific approval of the City Manager upon the favorable recommendation of the respective department head, then those employees shall be asked to determine which of them will transfer within ninety (90) days to any vacant position for which the employee is qualified and which would resolve the violation. An employee who is allowed to transfer under these circumstances must meet the minimum qualifications of a vacant, budgeted position and must have had an overall satisfactory rating on the last performance evaluation. If such a transfer cannot be arranged within ninety (90) days for either of the employees, then the employees shall be asked to determine which of them will leave City employment.

In the event the employees cannot decide between them who will leave, and if a transfer cannot be arranged, then the employee with the least seniority shall be terminated pursuant to Civil Service rules.

208 - APPOINTMENTS, SELECTION, PROMOTIONS, DEMOTIONS, AND TRANSFERS

Pursuant to the Charter, the City Manager has the authority to select, appoint, promote, demote, transfer, suspend, and remove all employees of the City. All vacancies in the City shall be filled by original selection or appointment, re-employment, promotion, provisional appointment, transfer, or demotion.

Candidate Selection and Appointments

To ensure adherence to applicable City policies, salary practices and Federal law, after the search has been completed, but before an offer is made, the department head is required to consult with the City Manager to determine the appropriate salary and obtain authorization to hire.

After the City Manager's approval, an offer to the candidate that specifies the terms of the employment arrangement may be extended. The Human Resources Department will issue an offer letter to the selected candidate. Applicants accepting offers must sign indicating acceptance and understanding of the conditions of the offer.

The offer letter should be sent immediately to the candidate following the verbal acceptance of the offer for the position. The prospective employee must sign the letter and return it to the Human Resources Department.

Provisional Appointments

Whenever there are urgent reasons for filling a vacancy by appointment or promotion, and there is not a current certified list of persons eligible for appointment, the City Manager may make or may authorize the respective department head to make a provisional appointment to such position. However, no provisional appointment may continue for a longer period than three months.

Promotions

A promotion is assigning an employee from one position to another that has a higher maximum pay rate and a higher rank and/or level of responsibility. Vacancies in positions above the lowest rank in any category in the salary ordinance shall be filled, as far as practical, by promoting employees. Promotions in every case must involve a definite increase in duties and responsibilities and shall not be made merely for the purpose of affecting an increase in compensation.

When an employee in one classification is promoted to a position in another classification, then the rate of pay upon promotion shall be the minimum rate of pay for the higher position range or the employee's last rate of pay immediately prior to promotion multiplied by 107%, whichever is greater.

However, to maintain equity if an employee's current rate with the 7% increase, is above tenured incumbents in the new position, then the rate of pay upon promotion shall be based on the employee's percentile ranking of the current range. The percentile will then

be applied to the top of the range the employee is moving into. The City Manager may determine an appropriate rate of pay if there are extenuating circumstances. No employee will receive less than the minimum rate of pay, nor more than the maximum rate of pay for the pay range to which the new position is classified.

Demotions

A demotion is assigning an employee from one position to another that has a lower maximum pay rate and a lower rank and/or level of responsibility. An employee may be demoted for any of the following reasons:

- because his or her position is being abolished and he or she would otherwise be laid off;
- because his or her position is being reclassified to a higher grade, and the employee lacks the necessary skills to successfully perform the job;
- because there is a lack of work;
- because there is a lack of funding;
- because another employee, returning from authorized leave granted in accordance with the rules on leave, will occupy the position to which the employee is currently assigned;
- because the employee is not performing at a satisfactory level for the position he or she holds;
- because the employee voluntarily requests such and the position to which the employee seeks to be demoted is vacant;
- as a reasonable accommodation when an employee, due to a disability, becomes unable to perform the essential functions of the job; and/or
- as a form of disciplinary action.

When an employee in one classification is demoted to a position in a lower classification, then the rate of pay upon demotion shall be based on the employee's percentile ranking of the current range. The percentile will then be applied to the top of the range the employee is moving into, or shall be a rate of pay specified by the City Manager, but in either case shall be neither less than the minimum rate of pay, nor more than the maximum rate of pay for the pay range to which the lower position is classified.

Transfers

If an employee requests to transfer from one department to another, then both department heads involved, and/or the City Manager must approve of the request before it is processed. Transferring an employee from one position to another without significant change in the responsibility level may be effective:

- when the employee meets the qualification requirements for the new position;
- if it is in the best interest of the City;
- if it meets the personal needs of the employee and is consistent with the other requirements of this rule; and/or
- as a reasonable accommodation when an employee is unable, due to a disability, to continue to perform the essential functions of the job.

An employee who transfers from one City department to another will retain and carry forward all benefits earned, accrued, or both as of the date of transfer. As a general rule, lateral transfers require no increase in compensation.

209 - PROBATIONARY PERIOD

The probationary period, is an integral part of the examination process and shall be used for:

- closely observing the employee's work; and
- securing the most effective adjustment of a new employee to his or her position; and
- rejecting any employee whose performance does not meet work standards.

The probationary period follows original appointments other than for Police officers and temporary/seasonal employees and is for a period of twelve (12) months. For Police Officers, the 12 month probationary period will begin after graduation from the Police Academy. An employee's probationary period may be extended at the request of the employee's department head in situations where there has not been adequate time to review the employee through no fault of their own. In no event may a probationary period be extended beyond twelve (12) additional months. Probationary periods are neither re-established by promotions, demotions or transfers, nor as a means of discipline in response to unacceptable employee behavior or job performance. During a work period, an employee is required to demonstrate fitness for the position by actual performance. At any time during a probationary period the employee may be dismissed.

During the probationary period, the supervisor will inform the employee when his or her performance is unsatisfactory and not meeting established requirements.

Department heads will report to the City Manager before the employee completes twelve (12) months of probationary employment, as to whether the employee's service has been satisfactory and whether the City should continue to employ the individual.

210 - FIRST DAY OF EMPLOYMENT

After an applicant has been chosen to fill a job vacancy by the department head and has been approved by the City Manager, the new employee shall provide any identifying documents necessary to begin work. Failure to supply the needed information may result in termination of employment.

Employee Orientation

In order for new employees to be successful, it is imperative that they understand the overall environment in which they will be operating. Employees who understand the organization's history, scope of operation, economic goals, and future prospects will identify more readily with the entire organization, and they will develop a sense of belonging more quickly than employees who are left to search out needed information on their own.

Orientation provided by the City for new employees is an opportunity for the City to convey information about the City's philosophy, and style. All new hires are required to attend orientation for new employees provided by their own department and any orientation for new employees provided by the Human Resource Department.

Citizenship and Immigration Status Verification

The City will not knowingly employ any person who is or becomes an illegal immigrant. In compliance with the Immigration Reform and Control Act, all employees originally appointed after November 6, 1986, regardless of national origin, or citizenship, must provide suitable documentation to verify identity and employability. The required documentation must be provided to the City or the individual's offer of employment may be withdrawn and if the employee has begun working, employment will be terminated.

211 - RESIDENCY

Individuals shall be recruited from a geographic area as wide as necessary to ensure that well-qualified applicants for the various types of employment positions are obtained. Recruitment, therefore, shall not be limited to residents of Columbia.

There is no residency requirement for the City's employee workforce as a whole. Residency within the City of Columbia is encouraged. However, employees should check with their department head to see if there is a residency requirement for employees of their department in order to provide adequate response time in emergency situations.

212 - ATTENDANCE, WORK PERIODS and WORKWEEK

Attendance

Punctual and regular attendance is necessary for the City to operate efficiently. Employees unavoidably late or absent from work due to illness or other causes must notify their supervisor within the time frame established by each department, unless unusual circumstances prevent the employee from making proper notification. Employees must explain the reason for the absence and, if possible, the anticipated time and date they will return to work. Failure to notify one's supervisor of absences may result in disciplinary action. An unauthorized absence from work for a period of three (3) consecutive working days may be considered by the department head as a resignation.

Excessive tardiness is regarded as sufficient reason for dismissal.

Employees found to be intentionally cheating on their time records shall be subject to disciplinary action up to and including dismissal.

Meal Breaks

Meal breaks are scheduled by the employee's supervisor. Meal breaks are unpaid for all employees except for the following employees for whom mealtime is paid:

- shift personnel of the Fire and Police Departments and
- Wastewater Treatment Plant Operation Personnel; and
- employees who, as determined by the department head, are working at remote job sites without practical access to non-City-provided transportation.

Employees should check with their department head or supervisor for more information about and to schedule their unpaid meal break or paid mealtime.

Work Period/Workweek

Employees, except shift personnel of Fire and Police Departments, receive overtime pay for hours worked over 40 in a workweek at a rate not less than time and one-half their regular rate of pay. Overtime pay is not required for work on Saturdays, Sundays, holidays, or regular days of rest, unless overtime is worked on such days.

A work period is the regular and recurring period of time during which compensated time is counted for purposes of determining overtime eligibility. Except for shift personnel of the Fire and Police Departments, the work period for employees of the City is a workweek. Pursuant to the FLSA, a workweek is a regular and recurring period of 168 hours consisting of seven (7) consecutive 24-hour periods and, in the case of the City, begins at 12:00 a.m. on Sunday and ends at 11:59 a.m. on the following Saturday.

For shift personnel of the Fire Department, a work period is 672 hours in duration, consisting of 28 consecutive 24-hour periods, and beginning and ending according to the Fire Department's official schedule for each shift employee. For the City of Columbia, overtime is calculated after an employee exceeds 212 actual hours worked.

For sworn shift personnel of the Police Department, a work period is 336 hours in duration, consisting of fourteen (14) consecutive 24-hour periods, and beginning and ending

according to the Police Department's official schedule for each shift employee. Overtime is calculated after sworn personnel exceed 86 actual hours worked.

Upon recommendation of the City Manager and approved by the City Council, employees may be placed on administrative leave at full, partial, or no pay for a variety of purposes, including, but not limited to the fact that it is in the best interest of the City of Columbia, the public at large, public health, control of infectious disease, or other appropriate circumstance as defined by the City Council.

213 - OUTSIDE EMPLOYMENT

Full-time regular employees are not permitted to work outside the City's employ if the outside employment:

- is likely to interfere with the employee's satisfactory performance of his or her duties and responsibilities;
- is incompatible with City employment in any way, including the appearance of any conflict of interest; and
- is likely to cast discredit upon or create embarrassment for the City.

A full-time regular employee who desires to work outside the City's employ is required first to obtain written authorization from his or her department head. Such authorization shall be specific to a certain job with a certain second employer. In the event of conflict between City employment and outside employment, City employment is considered primary and outside employment is considered subordinate.

214 - PHOTO ID CARDS

Upon employment, employees will be issued a photo identification card. In addition, ID cards may be required to gain access to City facilities and buildings. ID cards may be replaced if lost or stolen and must be turned in to the Human Resources Department upon termination of employment with the City.

215 - PERFORMANCE EVALUATIONS

Managing employee performance is an integral part of the work that all managers and supervisors perform throughout the year. Performance management is designed to document the expectations of individual and organizational performance, provide a meaningful process and mechanism to improve individual/organizational performance as necessary.

To accomplish these objectives, managers need to identify organizational goals to be accomplished, communicate individual and organizational goals to employees that support the overall strategic mission of the City. The performance of employees will be evaluated and reviewed annually by their immediate supervisors. Evaluations will be discussed with the employees so they will know how they are progressing and what they may do to improve their performance. It is intended that employees will have adequate opportunity to correct any weakness that may interfere with their progress.

Performance evaluations give employees feedback on performance; identify employee training needs, document criteria used to allocate organizational rewards, form a basis for personnel decision such as salary increases, promotions, disciplinary actions, bonuses, etc. They also provide the opportunity for organizational diagnosis and development, facilitate communication between employee and administration and improve performance through counseling, coaching and development.

Evaluations of job-related performance will be conducted according to the following schedule:

New Hire Evaluations

Each employee is to have his or her job-related performance evaluated by his or her respective supervisor and/or department head before completion of six (6) months employment.

Annual Evaluations

Supervisors should document employee performance, both good and when improvement is needed, throughout the year. Doing this will allow the supervisor to provide specific examples to the employee during progress reviews, or at other times throughout the year. The employee is to have his or her job-related performance evaluated by his or her respective supervisor and/or department head annually.

Special Evaluations

Any employee may have his or her job-related performance evaluated by his or her respective supervisor and/or department head outside the normal evaluation schedule whenever, in the judgment of the employee's department head, such an evaluation is necessary.

As important as these performance evaluations are, they are not meant to substitute for ongoing communication between employees and their supervisors and department heads about performance.

SECTION 300

COMPENSATION and PAY

301 - CLASSIFICATION

Purpose

The Classification Plan, as approved by the City Council, provides a complete inventory of all positions in the City's service and an accurate description for each employment class. The plan standardizes titles, each of which is indicative of a definite range of duties and responsibilities and has the same meaning throughout the City service.

Composition of the Classification Plan

The Classification Plan shall consist of:

- a grouping of classes of positions that are approximately equal in difficulty and responsibility that call for the same general qualification, and that can be equitably compensated within the same range of pay under similar working conditions;
- class titles descriptive of the work of the class that identifies the class;
- written job descriptions for each position; and
- physical standards for performance of the duties of the position.

Use of Class Titles

Class titles will be used in all personnel, accounting, budget appropriation, and financial records of the City. No person will be appointed or employed in a classified position under a title not included in the Classification Plan.

Use of Job Descriptions

Job descriptions will be interpreted in their entirety and in relation to others in the Classification Plan. Particular phrases or examples are not to be isolated and treated as a full definition of the class. Job descriptions are deemed to be descriptive and explanatory of the kind of work performed and not necessarily inclusive of all duties performed.

Use of the Classification Plan

The Classification Plan is to be used:

- as a guide in recruiting and examining candidates for employment;
- in determining lines of promotion and developing employee training programs;
- in determining wages or salaries to be paid for various types of work;
- in determining personal service items in departmental budgets; and
- in providing uniform job terminology understandable by all City officers and employees and by the general public.

302 - ADMINISTRATION OF THE CLASSIFICATION PLAN

The City Manager is charged with maintaining the Classification Plan of the City so that it will reflect the duties performed by each employee in the service of the City and the class to which each position is allocated. It is the duty of the City Manager to examine the nature of the position classes, make such changes in the Classification Plan as are deemed necessary by changes in the duties and responsibilities of existing positions, and periodically review the entire Classification Plan and recommend to the City Council appropriate changes in allocations or in the Classification Plan itself. The City Manager may delegate any or all of these duties and responsibilities to the Human Resource Director.

Allocation of Positions

Whenever a previously unbudgeted position is established the respective department head shall submit in writing a comprehensive job description listing in detail the duties of such a position. The City Manager shall investigate, or shall cause the Human Resource Director to investigate, the actual or suggested duties, and shall recommend to the City Council the appropriate class allocation or the establishment of a new class. The City Council will then consider approving such recommendations.

Request for Reclassification

Any employee who considers his or her position to be improperly classified shall submit his or her request to the immediate supervisor who shall review the justification for the request. If the department head or supervisor finds that there is merit in the request, he or she shall immediately transmit his or her recommendation to the City Manager. If the department head/supervisor finds the request is not justified, he or she shall advise the employee of his or her decision and also the employee's right to forward the request to the City Manager. The City Manager's decision regarding a request for reclassification shall be final and binding and may not be appealed.

303 - PAY RANGES AND RATES OF PAY

Use of Pay Ranges

Pay ranges are intended to furnish administrative flexibility in recognizing individual differences among positions allocated to the same class and to provide employee incentives.

The minimum rate established in a class is the normal hiring rate except in those cases where unusual circumstances (such as inability to fill the positions at the hiring rate or exceptional qualifications of an applicant) appear to warrant employing an individual at a higher rate in the pay range. Any department head desiring to start an employee above the minimum must submit justification to the City Manager for approval.

Rates of Pay

The City Manager shall establish all rates of pay paid by the City within the Classification and Pay Plan approved by the City Council. Due consideration shall be given to duties performed, responsibilities, technical knowledge and skills required to perform the work satisfactorily, the labor market, and availability of people having the desired qualifications.

Minimum Wages

In accordance with the Fair Labor Standards Act (FLSA), no employee shall be paid less than the federal minimum wage unless they are expressly exempt from the minimum wage requirement by FLSA regulations.

304 - PAY PERIODS AND PAYCHECKS

The City is on a biweekly pay cycle which begins and ends at 12:00 a.m. on designated Sundays. If employees have questions about their work time, wage or salary, or paycheck, they should bring it to the attention of their department head within the pay period in question or as soon as possible thereafter.

All current employees hired on or after January 3, 1997 are required to have their payroll checks deposited via direct deposit into the financial institution of their choice. Current employees hired prior to January 3, 1997 may choose and are encouraged to participate in the City's payroll direct deposit program.

A separating employee will be issued his or her final paycheck on the regular pay day for the pay period that includes the employee's separation date or the pay period thereafter.

Overpayments and Collections

In the event of an overpayment, notice is sent to the employee by the Finance Department. If the employee is still working for the City and has regularly scheduled pay they may authorize payroll to deduct it from future pay or they can pay it back directly. If the employee is no longer working at the City, a letter will be sent requesting repayment. If payroll is unsuccessful in recouping the overpayment, further collections options may be pursued.

Underpayments/No Payments

Employees should notify their supervisor if they believe an underpayment occurred, or they did not receive a paycheck for monies due them. The payroll office will research the issue. If it is determined that an actual error has occurred, correction will be made.

305 - OVERTIME PAY AND COMPENSATORY LEAVE

Employees who are not exempt from the overtime pay provisions of the FLSA shall be compensated at a rate of one and one-half (1-½) times the employee's regular rate of pay for any overtime work.

- Overtime work for non-exempt employees of the City is any time worked for the City over and above the FLSA overtime threshold. Except for shift personnel of the Fire and Police Departments, overtime is paid for any time worked over 40 hours during the seven-day workweek. Shift personnel of the Fire Department are paid overtime for any time worked in excess of 212 hours per 28-day work period. Shift personnel of the Police Department are paid overtime for any time worked in excess of 86 hours per 14-day work period.
- All leave with pay including workers compensation leave during a particular work period is not included in time worked during the same work period for the purpose of computing overtime.
- Overtime work must be authorized in advance by the employee's supervisor or department head or the City Manager.
- Overtime worked may alternatively be paid with compensatory leave, accrued at a rate of one and one-half (1-½) times the overtime hours worked, according to the employee's preference expressed to his or her supervisor prior to working the overtime and subject to the supervisor's approval. No more than 40 hours (with the exception of 48 hours for fire suppression) of unused compensatory leave may be accumulated by any non-exempt employee.
- Non-exempt employees who perform work after their scheduled work day has ended are required to record the time worked the next day, or as soon as practical.

306 - OUT-OF-RANK PAY

Out-of-rank pay is not paid except under the following circumstances and even then must be authorized in advance by the City Manager and is to discontinue upon resumption of the duties to which the employee was previously appointed and assigned:

If the City Manager chooses to promote an employee on a temporary basis for at least twenty (20) complete and consecutive workdays or shifts, or and only in the case of shift personnel of the Fire Department for nine (9) or more complete and consecutive shifts, to a position with higher rank and status than the position to which employee currently holds and is normally assigned, then the employee will be compensated at a higher rate of pay. Payment will be calculated from the first day of the temporary assignment and will continue through the last day the employee performs work at the higher level. The pay will be equal to the minimum rate of pay for the pay range to which the temporary assignment is classified or his or her current rate of pay multiplied by 107%, whichever is greater, but not to exceed the maximum rate of pay for the temporary position. Any certification and education pay incentives will be added after the acting/temporary rate has been established.

Employees may also be placed in a position that is rated below the current position they are assigned to. When an employee is required to be placed in a lower ranking position for at least twenty (20) complete and consecutive workdays or shifts, or in the case of shift personnel of the Fire Department for nine (9) or more complete and consecutive shifts the employee will be compensated, beginning with the first day of the reassignment, at a rate of pay commensurate with the duties performed and equal to his or her current rate of pay divided by 107%, but not less than the minimum rate of pay for the pay range to which the employee is being assigned. Any certification and education pay incentives will be added after the temporary promotion rate has been established.

307 - CALL-BACK

Non-exempt employees who are called back to work after the normal work shift has ended and after having left the work premises shall be guaranteed a minimum of four (4) hours pay. However, only the actual hours worked will be counted as time worked for purposes of calculating overtime. If the call back occurs less than four (4) hours prior to the start of the normal shift, the employee will be paid for the actual hours worked. No such guaranteed minimum shall be provided to employees who are exempt from the overtime provisions of the FLSA and who are called back to work. Non-exempt employees, who are called and can perform the work remotely, will be paid for actual time worked.

On-Call Time

On-call service is necessary for the proper maintenance and functioning of certain City services. It is the duty and responsibility of each on-call employee to be available by some reliable means of communication at all times. The supervisor or department head shall be responsible for scheduling in advance which employees are designated for on-call duty at any given time, and for determining the maximum permitted time for the on-call employee to reply and/or respond to an emergency call-out.

When an on-call employee is called out, he or she shall receive four (4) hours minimum pay with only the actual hours worked being used for the calculation of overtime.

Non-exempt sworn police officers receive a minimum of two (2) hours pay if they are required to appear in court when they are not regularly scheduled to work (off duty). Only the actual hours worked will count as time worked for the purposes of calculating overtime.

An employee who is on-call and who fails to report for duty at the specified City job site within 60 minutes of receiving notice may be subject to disciplinary action up to and including dismissal.

308 - PAYROLL DEDUCTIONS

By law the City is required to deduct, where applicable, Federal income and payroll tax withholdings, and any duly authorized garnishments. The City will not allow improper pay deductions. Specifically, the following deductions may be made:

Federal Income Tax

Federal income tax withholdings are deducted from employees' paychecks based on the number of exemptions claimed by the employee. Employees are required to file a completed copy of the Federal Internal Revenue Service form W-4 ("Employee's Withholding Allowance Certificate"), and to file a replacement form W-4 if and whenever any employee-supplied information becomes out-of-date. In the event of changes in the employee exemption status or in the number of allowances claimed or additional amounts, if any, to be withheld from each paycheck, a revised form W-4 must be filed before payroll deduction adjustments will be made.

Social Security

Social Security payroll tax withholdings will be deducted from employees' paychecks according to the Social Security Act. The Finance Department shall keep such records and make such reports as may be required by applicable State and Federal laws or regulations.

Medicare

Medicare payroll tax withholdings will be deducted from employees' paychecks in accordance with law.

Other Deductions

Other deductions may be authorized from pay only with the employee's signed consent:

Direct deposit is required by all employees hired after January 3, 1997.

309 - EDUCATION PAY INCENTIVE PROGRAM

Any employee who has or obtains an under graduate or a graduate degree that is not required in the job description for the employee's current position is eligible for education pay incentive. Only regular, full-time active employees qualify to participate in this program. The education pay incentive program is intended to reward employees who enhance their value to the City by developing their knowledge, skills and abilities.

Education pay incentives are paid and combined with a qualifying employee's base pay following achievement of the degree and submitting a copy of transcripts to the Human Resource Department. To receive education pay, employees must obtain the education from a college or university accredited by an agency recognized by the United States Secretary of Education.

Education pay incentives are paid according to the following table:

Educational Degree Earned	Education Pay Incentive
Associate's (2-year) degree	4% increase in base pay
Bachelor's (4-year) degree	Additional 4% increase in base pay or, if 2-year degree not previously awarded, 8% increase in base pay
Post-bachelor's graduate degree (Masters)	Additional 5% increase in base pay

No more than one same-level advanced education degree per employee will be recognized by the City at any particular time.

Certifications

Employees upon achieving certification from the State of Tennessee will receive the following:

Certification Earned	Pay Incentive
Plant Operator 2	3% increase in base pay
Plant Operator 3	4% increase in base pay
Plant Operator 4	5% increase in base pay
Collection Grade 1	3% increase in base pay
Collection Grade 2	5% increase in base pay
Paramedic	\$4500 per year increase in base pay
Bomb Certification	\$1500 per year increase in base pay
Building Inspector	4% increase in base pay

Traffic Signal Technician	2% increase in base pay
Certified Pool Operator	3% increase in base pay
Certified Playground Safety Inspector	3% increase in base pay
Certified Park Recreation Professional	5% increase in pay

Employees will only receive pay for one certification if the employee has obtained multiple certifications.

The City Manager may authorize payment for other job related certifications. Depending on the certification involved, employees will receive an increase between 2% and 5%.

310 – LONGEVITY PAY

The City has a longevity pay plan that provides annual payments to active, full-time employees as a reward for their service to the City. Longevity pay is paid annually and is calculated at the rate of \$100 for each year of eligible service (\$50 for each year of eligible service before July 1, 2021). To be eligible, an employee must complete two full years of service and be in their third year of employment. Employees receive longevity payment when reaching their third year of employment. At that time, they will receive payment for their three years of service. Employees who were hired prior to July 1, 2021 will receive the \$100 beginning in the calendar year 2022 and subsequent years thereafter. Time of service before July 2021 will be calculated at \$50 for each year of eligible service. Employees who were hired by the City before January 1, 1990, for whom longevity pay after years of 30 through 39 will be paid at \$3,000. The cap for longevity pay is \$3,000.

Longevity payments are made by a separate payroll check and are distributed by the end of the January each year. The dollar value of longevity pay is considered wage or salary compensation for purposes of calculating income taxes and retirement.

311 – TELEWORK

For some positions at the City, working from home or telecommuting may be possible. Telecommuting can be a privilege, or a necessity, or a combination of both, depending upon the circumstances. No particular positions have been designated as "telecommuting positions;" rather, certain positions may from time to time be suitable for performance outside the workplace, and in such a case, management may allow all or part of the duties of the position to be performed away from the office on a temporary or ongoing basis. However, no such arrangement is promised or guaranteed, and no particular duration of telecommuting is guaranteed.

If telecommuting is allowed for a position, it will last as long as it is appropriate. Such arrangements must be set forth in writing and signed by both the employee and the supervisor. Supervisors may terminate the telecommuting agreement or policy at its discretion. Sound telework agreement should include language requiring remote workers to maintain a safe work environment and ask them to specify an area whether it's a room or a space within a room, such as a dining room table that is their designated workspace. It is highly recommended that telecommuting sites not be used as meeting venues nor for deliveries.

If granted, the supervisor and the employee will work out the arrangement as it pertains to when an employee should check in for voice-mail and email messages, come in to attend meetings in person, or attend meetings via conference call. Supervisors may require employees to report to their regular workplace as needed for work-related meetings or other events or may meet with employee in the alternate work location as required to discuss work progress or other work related issues.

It is the City's desire that telecommuting be seamless for other employees at the office and to the public; therefore it will be mandatory that the telecommuting employee forward their desk phone to a phone accessible at the telecommuting site. Work performance with telecommuting will be reviewed and addressed as issues arise.

Telecommuting assignments do not change the conditions of employment or required compliance with policies, including policies in relation to what files may be removed from City premises for telecommuting purposes and what measures should be taken to protect those documents. Workers' Compensation will only be responsible for injuries that happen in the home office and is restricted to times when the employee is performing authorized work.

Telecommuting is not intended to serve as a substitute or replacement for child or adult care. If children or adults in need of primary care are in the alternate work location during employees' work hours, some other individual must be present to provide the care. Telecommuting is also not intended to be used in place of Paid Time Off.

Telework will be approved on a case-by-case basis for the following:

- Inclement weather;
- Doctor appointment;

- Special work assignments;
- An employee has a short-term need for uninterrupted time to complete work on a complex project or report;
- Employee is recovering from illness or an injury and is temporarily unable to physically report to the traditional office.

EQUIPMENT

Employees will be provided office supplies limited to basic supplies taken from the supply-room such as paper, pencils/pens, highlighters, post-it notes, paperclips and folders. Otherwise employees are expected to furnish their own office space and other supplies. Included in the telework agreement will be requirements for connectivity, equipment (e.g. computers, scanners, phones, etc.) the City will provide commensurate with the needs of the employee to perform the essential functions of their position and telework successfully. The City WILL reimburse employees for business-related long distance calls or faxes made from their personal telephone lines/cell phones. The City of Columbia will not assume responsibility for the cost of personal equipment, repair, or service. Nor will the City assume responsibility for operating costs, home maintenance, or other costs incurred by employees for the use of their homes as telecommuting work locations.

Except in instances of cloud-based applications, employees approved for the telework program shall only use city-issued and approved computers and associated equipment via the city's VPN (Virtual Private Network) for safety and security of city systems. It is advised that the practice of forwarding phone calls to personal phones is highly discouraged as they then become subject to public records laws. An employee forwarding their work phone to a personal phone accepts responsibility for the potential consequences of that action.

SUPERVISORS

When implementing the telework program, managers should keep in mind that performance standards for teleworking employees must be the same as performance standards for non-teleworking employees. Also, management expectations for performance should be clearly addressed in an employee's telework plan. When an employee participates in telework, expectations related to accountability do not differ by virtue of the telework arrangement. Following clear and consistent performance management principles and techniques should result in a seamless transition for managers and their employees moving to telework arrangements. Supervisors will need to determine how employees who telework will communicate with one another and with management to accomplish work and how time and attendance will be maintained.

Employee should be asked to describe what their work space will be like (spare bedroom, kitchen table, etc.) and whether they have any concerns or special requests.

Any additional equipment that is required for an employee to telework will need to be budgeted in the department's budget. Reimbursement for office furniture and supplies; items such as desks, chairs, computer hardware and other durables that the City buys for employees' home office areas are City property. They should be marked with asset tags,

and employees must agree to surrender them if they are terminated or when they return to their City office.

In making decisions about which positions are appropriate to designate or approve for telecommuting, supervisors will analyze the duties of positions and how the work is performed. Employees must also have and maintain a minimum of “Exceeds Expectations” or higher in their annual review when applying for telecommuting and to continue telecommuting.

Generally, the following types of positions may be appropriate for telecommuting:

- Require independent work;
- Require little face-to-face interaction with staff or the public;
- Require concentration;
- Result in specific, measurable work products;
- Can be monitored by output.

In making decisions about which employees are designated or approved for telecommuting, Supervisors will review the work qualities of employees, in addition to ensuring that their positions are appropriate for telecommuting. Generally, employees who are successful in telecommuting:

- Are able to work productively on their own;
- Are self-motivated and flexible;
- Are knowledgeable about the job;
- Have a low need for social interaction;
- Are dependable and trustworthy;
- Have above average performance records;
- Are organized;
- Have good communication skills

ADA CONSIDERATIONS

Supervisors should contact Human Resources in cases where telecommuting may be an accommodation for an employee who qualifies under the Americans with Disabilities Act. Some considerations might include:

- The employer's ability to supervise the employee away from the workplace;
- If the essential functions of the position can be performed from home;
- Whether any duties require use of certain equipment or tools that cannot be replicated at home;
- Whether there is a need for face-to-face interaction and coordination of work with other employees;
- The employee deals with sensitive data that must remain at the worksite;
- Whether in-person frequent interaction with outside colleagues, clients, or citizens is necessary and cannot be done remotely;
- Whether the position in question requires the employee to have immediate access to documents or other information located only in the workplace.
-

EMPLOYEE RESPONSIBILITIES:

- Employees must maintain a current telework agreement detailing any emergency telework;
- Employees must keep accurate time records by logging in and out electronically.
- Employees must maintain an internet provider with enough broad band to accommodate all software, programs, modules, etc. that the employee would use not telecommunicating;
- Responsibilities specified for a continuity and/or pandemic event, as appropriate;
- Employees may be assigned other duties and be willing to perform all duties assigned to them by management even if outside your usual or customary duties;
- Employees must take responsibility for the security of the data and other information they handle while teleworking;
- Noncompliance with OSHA regulations may result in the discontinuation of the telecommuting agreement

Note: The City encourages telecommuting employees to notify their homeowners insurance carrier of their telecommuting arrangement. They may want to have the carrier issue an endorsement allowing for limited use of the home for commercial purposes. Any additional cost incurred for the insurance rider or endorsement will be at the expense of the employee.

SECTION 400 BENEFITS

401 - VACATION LEAVE

The following vacation leave program is a benefit provided to active employees that are full-time and regular. Regular, full-time employees start earning vacation upon hire.

Years of Employment	Full Time Regular Employees (2080 hours)		Police 12 hour shift Based on 2236 hours		Fire Suppression Based on 2764 hours	
	Annual Maximum	Bi-weekly Accrual	Annual Maximum	Bi-Weekly Accrual	Annual Maximum	Bi-weekly Accrual
0-5	80	3.08	94.33	3.63	120	4.62
6	88	3.38	102.33	3.94	129.6	4.98
7	96	3.69	110.33	4.24	139.2	5.35
8	104	4	118.3	4.55	148.8	5.72
9	112	4.31	126.33	4.86	158.4	6.09
10 and 11	120	4.62	134.33	5.17	168	6.46
12 and 13	128	4.92	142.33	5.47	177.6	6.83
14 and 15	136	5.23	150.33	5.7	187.2	7.2
16 and 17	144	5.54	158.33	6.09	196.8	7.57
18 and 19	152	5.85	166.33	6.4	206.4	7.94
20 and 21	160	6.15	174.33	6.71	216	8.31
22 and 23	168	6.46	182.33	7.01	230.4	8.86
24 and 25	176	6.77	190.33	7.32	244.8	9.42
26 and 27	184	7.08	198.33	7.63	259.2	9.997
28 and 29	192	7.38	206.33	7.94	276.6	10.52
30 and above	200	7.69	214.33	8.24	288	11.08

Vacation leave is accrued bi-weekly. Accrued vacation leave may not be used until after the pay period during which it is accrued. Employees may not borrow against future vacation leave.

Employees who accrue vacation leave may not carry over from one calendar year to the next an accumulated balance of unused vacation leave greater than 240 hours (257.33 sworn police, 341.15 for Fire Suppression employees) unless specifically authorized by

the City Manager in writing upon and the favorable recommendation from the department head.

Shift personnel of the Fire& Rescue Department may not utilize vacation leave in less than 12 hour increments, and shift personnel of the Police and Wastewater Departments may not utilize vacation leave in less than half-shift increments, unless specifically authorized to do so by their respective supervisor or department head.

The use of vacation leave is to be scheduled as far in advance as possible for the mutual convenience of the employee and the City for planning purposes, and may not be taken unless authorized by the employee's supervisor or department head.

Department heads and supervisors preparing vacation leave schedules shall give choice of dates according to seniority of the personnel in their respective departments, in a manner approved by the department head.

An employee who accrues vacation leave and who is separating employment from the City shall be paid for any accrued but unused vacation leave.

Employees will not receive payment in lieu of vacation leave, except when there is a permanent separation from employment.

Employees in un-paid leave status will not accrue vacation when they have not been at work for at least 30 calendar days.

An employee who accrues vacation leave may not transfer earned vacation leave to another employee.

Any service in the Tennessee National Guard, State Militia, or Military Reserves in excess of the State mandated allowance in any calendar year may be charged as vacation leave at the option of the employee.

402 - SICK LEAVE

The following sick leave program is a benefit made available to active full-time regular employees. Such employees shall accrue sick leave in accordance with the following table:

Active, full-time regular employees	Amount of sick leave accrued per year	Hours of sick leave accrued per 2-week pay period (rounded)
OTHER THAN shift personnel of the Police, Fire and Plant Operators of Wastewater.	12 days (96 hours)	3.692
Plant Operators	12 days (120 hours)	4.62
Sworn Personnel of the Police Dept.	12 days (144 hours)	5.538
Shift Personnel of the Fire Dept.	6 shifts (144 hours)	5.538

Employees who have accrued sick leave become eligible to utilize sick leave under any of the following circumstances:

- The employee is incapacitated by a non-City-job-related sickness, illness or injury;
- Employees who take time off for the regular birth or adoption of their child are limited to 10 days sick leave unless other medical conditions exist.
- The employee may jeopardize the health of others because he or she has been exposed to a contagious disease;
- The employee (other than shift personnel of the Fire Department not on duty), seeking non-emergency medical, dental, or optical diagnosis and/or treatment;
- The employee is providing necessary care and attendance of a member of the employee's immediate family. Immediate family is defined as an employee's spouse, children (son or daughter), and parents or any other individual who stood in loco parentis to the employee when the employee was a child. In Loco, Parentis includes those in the role of a parent with day-to-day responsibilities to care for or financially support a child. The term "parent" does not include a parent "in-law." The terms son or daughter do not include individuals age 18 or over unless they are "incapable of self-care" because of a mental or physical disability that limits one or more of the "major life activities" as those terms are defined in regulations issued by the Equal Employment Opportunity Commission (EEOC) under the Americans With Disabilities Act (ADA). The employee also must provide written

documentation from a health care provider to his /her supervisor or department head and the Human Resource Department when the absence is more than five (5) days or when there is a pattern of abuse; or

- Immediate family member can be a partnership in which two people live together and are in a committed relationship without being legally married
- The employee, with the advance permission of his or her department head chooses to supplement bereavement leave or funeral leave.
- Sick leave shall be accrued on a weekly basis. Sick leave may not be used until after the pay period during which it is accrued. Employees may not borrow against future sick leave.
- Employees who accrue sick leave may accumulate unused sick leave only up to the maximum permitted accrual shown in the table above.
- An employee cannot receive sick leave pay from the City if employed and working for another employer or if self-employed performing work for the employee's business at the time sick leave is requested; unless approval for an exception to this policy is granted by the City Manager.
- Employees who accrue sick leave and have been off work for at least 30 days will stop accruing sick leave at the end of the pay period in which all paid time off has been exhausted
- Employees who accrue sick leave may not transfer accrued sick leave to another employee, except by means of the City's sick leave donor program (See Sick Leave Donation Policy).
- In order to use sick leave, employees must notify their supervisor or department head as soon as possible of their intended absence. The employee also must provide his /her supervisor or department head and the Human Resource Department that the requested use of sick leave is legitimate when the absence is more than five (5) days or when there is a pattern of abuse. In addition, a return to work document stating that he/she is medically able to return to work without undue risk to him/herself or others may be required.
- Each day deducted from an employee's sick leave accumulation shall be for a regular workday and shall not include holidays and scheduled days off.
- Sick leave days for which compensation is due and payable under this section are defined as those days that an employee is regularly scheduled to work.
- No sick leave shall be paid for time lost due to the use of alcohol or to drug abuse except when an employee is receiving treatment in an approved substance abuse treatment facility.

Employees are **encouraged** to think of sick leave as earned-income insurance for occasions when they are unable to report for work for one of the reasons listed above rather than for relatively minor medical conditions. Effective January 1, 2004, as an incentive not to use sick leave and a reward for attendance on the job, an employee separating from the City by means of any type of retirement under the City's retirement plan shall have all then-accrued-and-unused sick leave, up to the maximum permitted accrual shown in the table above, credited as additional time worked (what is called "credited service" in the City's Employees' Retirement Plan) when calculating the employee's retirement benefits.

Employees hired after July 1, 2012, and vested in the defined contribution plan upon separation from employment shall receive 50% of accrued sick leave paid into the 401(a).

Should it become apparent to the City Manager that an employee on sick leave will be unable to return to unrestricted duty by the time he or she has exhausted all forms of leave for which he or she qualifies, and no comparable position for which the employee is qualified is available, then the City may be forced to dismiss the employee but only under either of the following conditions:

- if he or she cannot perform the essential functions due to a disability that cannot reasonably be accommodated; or
- if he or she poses a direct threat to himself or herself an

403 - SICK LEAVE DONOR PROGRAM

Leave donation programs, are a popular method of addressing the medium-to-long term financial needs of employees who are seriously ill or injured off the job.

The purpose of this policy is to establish criteria and standards for the donation of accrued sick leave to a sick leave pool in order to cover absence of a qualifying employee necessitated by illness or injury of the eligible employee.

Participation in the sick leave donor program is open to all employees who accrue sick leave and have donated the required hours to be eligible. The purpose of the program is to assist those employees who have a long-term, terminal, mental, and/or non-City-job-related accidental illness or injury that results in the exhaustion of their own accrued leave with pay by providing them with additional sick leave.

For a plan to be considered what the IRS characterizes as a “bona-fide employer-sponsored (medical) leave-sharing arrangement,” the plan should:

1. Be in writing and be administered by the employer.
2. Be created as a leave bank or pool for employees to deposit donated leave, and from which, leave will be distributed to recipients who have a **personal medical** emergency.
3. State that employees should be eligible to receive leave only after their request has been approved and all other available paid leave has been exhausted.
4. Specify that leave is to be used only for medical emergencies. The plan should restrict these medical emergencies to major illnesses or medical conditions of employees that require extended absences. Under IRS regulations, employer plans may also include extended time off following the loss of a spouse, child or parent.
5. Outline and specify limits on the amount of leave that may be donated by an individual in any given year.
6. Have a detailed procedure in place for employees to submit a written request for leave that describes the specific medical emergency or medical condition.
7. Have processes in place to confirm that all leave transferred under the plan is actually being used for medical leave by the recipient.

Becoming A Member

An initial donation of eight (8) hours, twelve (12) for fire suppression employees of sick leave hours is required to establish membership in the pool. A member must have a minimum of forty (40), sixty (60) for suppression fire employees remaining after their donation at the time of enrollment. The donation of sick leave is strictly voluntary; however, in order to receive donated sick leave an employee must be a member of the pool. Employees will be given the opportunity to become members annually during open enrollment for benefits. Any participating employee may request to withdraw from the pool during open enrollment. All requests for withdrawal

from the Sick Leave Pool must be made in advance of anticipated use of leave. New benefit eligible participants will be eligible to become a member and may join the pool at the next open enrollment after they have accumulated at least forty eight (48) hours, 72 hours for fire suppression employees of Sick Leave. Members of the pool may not specify who will receive donated leave. At the end of any fiscal year, all Sick Leave Pool balances are carried forward to the next year.

Recipient Eligibility

Members may utilize donated leave when they have exhausted all available accrued paid time off and their care requires continuing treatment or supervision by a licensed health care provider, and also requires absence from work of at least five days per illness or episode.

- . The employee or immediate family member must:
 - Provide a completed Family Medical Leave Act Certification of Health Care Provider for Employee's Serious Health Condition form from a licensed physician for a serious medical condition; or
 - Be in quarantine due to exposure to a contagious disease.

Application to Receive Donated Sick Leave

An eligible employee may request donated leave by submitting a written request form and physician's certification to the Human Resources Department. If an employee is incapacitated, a family member or designee may request leave from the Sick Leave Pool on the employee's behalf.

The Human Resources Department, will be responsible for guarding the privacy of sick leave pool recipients. Communications will be kept confidential between all parties. The administration of the policy and approval of Sick Leave Pool withdrawals are the responsibility of the Personnel Department and are based on the information provided on the Family Medical Leave Act Certification of Health Care Provider for Employee's Serious Health Condition form.

The hours allocated to an employee will be determined by the FMLA form completed by the physician, with a 1,000 maximum, 1,350 for suppression employees' amount of hours available during a calendar year.

In the event of a chronic illness or injury requiring episodic treatment (dialysis, chemotherapy, radiation therapy and physical therapy), the recipient may use donated leave in non-consecutive increments.

A participating employee receiving sick leave days from the pool will not accrue additional leave of any kind or be paid for any holiday for those days.

Review Process

The Personnel Director will review the FMLA physician's response within 5 business days of receipt of request.

Notification of Approval/Denial

The Personnel Director will notify the applicant and then Payroll if request is approved. Donated sick leave will be paid at 100% of the receiving employee's current rate of pay.

If the request is denied, the Director will notify the applicant with reason for denial. An appeal may be made to the City Manager if the reason for denial was not based on the 12 month period being exhausted. In the case of an appeal, all information will be submitted to the City Manager who will then make a final decision. The decisions of the City Manager shall be final and binding and will not be subject to the City's grievance procedure or litigation.

If the member is released to return to work prior to the expected date, the unused days will remain in the pool.

Donor employees may not claim an expense, a tax deduction or a charitable contribution for any of the leave donated under the pool. All paid leave granted to the recipient is considered wages and is subject to appropriate tax withholding.

Conditions or Circumstances that do not Qualify for Receipt of Donated Sick Leave

Employees may not receive donated sick leave in the following circumstances:

- Any occupationally related accident or illness which is compensable under Workers' Compensation benefits;
- Disability incurred in the course of the commission of a crime;
- During the period of any disciplinary suspension;
- While receiving the City's Long Term Disability, or Social Security Income (SSDI),
- While serving in the United States military services.

Policy Definitions:

Incapable of self-care: Requiring active assistance or supervision to provide daily self-care in three or more basic or instrumental "activities of daily living." Such as grooming, and hygiene, bathing, dressing, eating, cooking, taking public transportation, etc.

Physical or mental disability: One that substantially limits one or more major life functions as defined under the American with Disabilities Act as Amended.

Serious medical condition: A health condition involving a serious illness, injury, impairment, or condition that is likely to require the employee's absence from work for an extended period of time longer than the amount of paid time available to the employee, and the

health condition is such that it is not medically appropriate for the employee to delay the absence in order to accrue additional paid time off prior to the absence. Some examples of such conditions include: advanced or rapidly growing cancers, acute serious illnesses, chronic life threatening conditions involving failure of bodily organs or system (e.g., heart attack) or chronic conditions requiring extended rehabilitation such as back surgery. The absence may be continuous, as in hospitalization following surgery or an accident, or intermittent, as in period absences for chemotherapy or other procedures.

404 - LIGHT, LIMITED OR MODIFIED DUTY ASSIGNMENTS

To help reduce workers' compensation and other related costs, and to assist employees who are incapacitated in their return to work, the City may, at its sole discretion, offer temporary light-duty job assignments for employees with temporary work-related restrictions due to an illness or injury. Employees who wish to return to work with temporary restrictions due to injuries or illnesses should, if desired, contact their supervisors about light-duty assignments.

Light-duty assignments under this policy are temporary job assignments for employees injured or otherwise incapacitated. Such light-duty assignments are temporary assignments only, are not vacant or permanent positions within the City's workforce, and are not available to employees on a permanent basis under any circumstances. The availability of such light-duty assignments depends on the employee's restrictions and the business needs of the City. The existence of this light duty policy does not in any way guarantee that light duty will be available at any given time, or for any particular employee who requests it.

In most cases, some temporary modification of duties can be made for an employee that would allow them to return to work in a limited capacity, subject to his/her medical restrictions. Temporary restructuring may include modification of essential or non-essential functions of the job, limitation of working hours, changes in working conditions, or physical modification of the work place. Non Workers Compensation temporary assignments are limited in duration to 45 days.

If at any point an employee is medically determined to have sustained permanent restrictions, the creation or continuation of a temporary light duty assignment will not be considered. In that event, the City will review the employee's situation separately, to determine the appropriate steps to be taken, if any, under the Americans with Disabilities Act, other applicable law, and other relevant City policies.

Reasonable Accommodation

Reasonable accommodation is the modification or adjustment to a job, the work environment, or the way things are usually done that enables a qualified person with a disability or injury to enjoy equal employment opportunity.

It is expected that most requests for reasonable accommodation will involve existing employees who have become disabled, through an injury or illness. The most common request will include the restructuring of jobs or tasks within a job, reassignment to a vacant position in another classification, modification of the existing work site, or acquisitions of special equipment and devices.

A common request of a worker upon return to work after an extended absence may be for a complete job reassignment. While it is preferable to consider other accommodations that will enable the employee to return to his/her customary job, if this is not feasible, the City may seek to move the employee into another job classification for which the

employee is qualified. This position may be at the same rate of pay, or a lower rate of pay.

Americans With Disabilities Act (ADA)

The ADA protects qualified individuals with disabilities from employment discrimination. The ADA has a three-part definition of "disability." This definition reflects the specific types of discrimination experienced by people with disabilities. Therefore, it is not the same as the definition of disability in other laws, such as workers compensation. Under the ADA, a person with a disability is a person who has (a) a physical or mental impairment that substantially limits one or more major life activities, or (b) a record of such impairment, or (c) is regarded as having such impairment.

A physical impairment is defined by the ADA as "any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin and endocrine."

A mental impairment is defined by the ADA as "any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities."

To be a disability covered by the ADA, impairment must substantially limit one or more major life activities. These are activities that an average person can perform with little or no difficulty, such as walking, breathing, seeing, hearing, working, etc.

Whether an injured worker is protected by the ADA depends on whether or not the person meets the ADA definitions of an "individual with a disability." Work related injuries do not always cause physical or mental impairments severe enough to "substantially limit" a major life activity.

Also, many on-the-job injuries cause non-chronic impairments which heal with little or no long-term or permanent impact. Such injuries, in most cases, are not considered disabilities under the ADA. The fact that an employee is awarded workers' compensation benefits, or is assigned a high disability rating, does not automatically establish that this individual is protected under the ADA.

What the Law Requires

To be protected by the ADA, an individual with a disability or an injury must be qualified for the job that he/she is seeking. Qualified means that the person "satisfies the requisite skill, experience, education and other job-related requirement of the employment position such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such a position."

The key component of the definition, with regard to injured workers, is the ability to perform the essential functions of the position, with or without reasonable

accommodation. Therefore, an injured worker may be protected under the law, if he/she can continue to perform the essential functions of the job with some type of reasonable accommodation.

What the Law Does Not Require

The ADA does not require that the City accommodate an injured employee by reassigning the essential functions of his/her job to another employee -- even if the injured worker requests such an accommodation. The ADA also does not require that an employee be reassigned to another position in order to provide him/her with a job, especially if the employee is not qualified to perform the new job.

The ADA and Workers' Compensation Laws have totally different purposes. Sometimes those purposes intersect, but they are by no means congruent. In some cases, the laws may conflict.

405 - HOLIDAY LEAVE

For full-time regular employees, the City recognizes the following twelve (12) fixed holidays:

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
Good Friday	Friday before Easter Sunday
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving	Friday after the fourth Thursday in November
Christmas Eve	December 24
Christmas	December 25

Whenever a holiday recognized by the City falls on a Saturday, it shall then be observed by the City on the preceding Friday. Further, when a holiday recognized by the City falls on a Sunday, it shall then be observed by the City on the following Monday. Whenever December 24 (Christmas Eve) falls on a Friday and December 25 (Christmas Day) falls on a Saturday, and whenever December 24 (Christmas Eve) falls on a Sunday and December 25 (Christmas Day) falls on a Monday, then in both cases the City shall observe these two holidays on the Friday and Monday closest thereto.

Active employees, except shift personnel of the Fire, Police and Wastewater Departments, shall be excused from work-related duties whenever holidays recognized by the City are observed.

Active shift personnel of the Police and Wastewater Departments, who are full-time regular, may be scheduled to work pay periods that include the observation of fixed holidays recognized by the City in accordance with departmental policies, procedures and practices. If such an employee is authorized and directed to work a routine shift that overlaps any time the City observes as a fixed holiday, then he or she shall be paid for that shift, and shall either be assigned during the same calendar year, in lieu of the fixed holiday, an alternate shift off with pay, or be paid, in lieu of the fixed holiday, with the appropriate number of hours worked 10 Wastewater and 12 Police) hours of holiday pay during the same work period in which the holiday is observed, also in accordance with departmental policies, procedures and practices.

Fire suppression employees who are scheduled to work a holiday recognized by the City will receive their regular pay for the scheduled shift. In addition, all fire suppression employees will be paid 12 hours holiday pay during the pay period in which the holiday occurs.

In addition to the twelve (12) fixed holidays recognized annually by the City as listed above, the City grants to full-time regular employees two (2) floating holidays annually. These two (2) floating holidays shall be credited to full time regular employees upon employment and at the beginning of each calendar year thereafter. Each floating holiday equals eight (8) hours of holiday leave for each qualifying employee, except for shift personnel of the Fire Department, Police Department and some Wastewater personnel. Firefighters and sworn Police who normally work a twelve (12) hour shift will receive twelve (12) hours, and Wastewater employees who are regularly scheduled a ten hour (10) hour work shift will receive ten (10) hours pay. Fire Suppression employees will need to request the time off, or specify on the timekeeping system that they are requesting pay for the floating holiday. Eligible employees may arrange to utilize their floating holidays in the same manner as vacation leave except that accrued unused floating holidays may not be carried over from one calendar year to the next nor taken in hourly increments. Accrued but unused floating holidays will be paid upon termination. Employees who terminate and are re-hired within the same calendar year will not receive more than two floating holidays in the year.

Based on operational and scheduling needs and requirements of the Police Department, sworn officers may be allowed to receive time off and pay for a holiday prior to the holiday occurring.

Full-time regular employees must be in paid status the day before the holiday and the day following the holiday to be eligible for holiday pay.

406 - EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City provides an employee assistance program where employees, spouses and dependents may choose to obtain confidential counseling and other services. An employee assistance program (EAP) is an employer-sponsored benefit that is designed to assist in the early identification and resolution of workplace productivity problems work/life balance, supervisor and employee training, substance abuse assessment and treatment services, management consultation and legal assistance. These include, but are not limited to: health, relationship issues, family problems, financial concerns, alcohol and drug issues, legal issues, emotional problems, grief and stress.

The employee's right to privacy, records and discussions regarding the nature of personal problems will be handled in a highly confidential manner. Client records will be kept at the offices of the EAP administrator and the contents will be released only upon the employee's written permission.

However, supervisors may make mandatory referrals when the employee's job performance is affected. If this occurs, the employee will sign an agreement that will allow the City to obtain information on treatment and progress to aid the supervisor in making decisions related to the employee's ability to perform the job and/or return to work.

Information about how to contact the City's EAP is available from supervisors, department heads and the Human Resources Department.

407 - GROUP HEALTH INSURANCE PROGRAM

Active employees who are full-time regular, elected officials of the City, the City Manager, the City Judge and the City Prosecutor, all are offered primary health insurance coverage through the City's group health insurance program. Vision and Dental coverage may also be provided. For all employees and officials eligible to participate, the City Council makes a determination during the budget process on funding.

Employees hired on or after July 1, 2019 who have a family member that also works for the City, will be enrolled based on the rate the City is charged for the appropriate tier the employee is being enrolled in. Employees will be credited the current amount the City is contributing for an employee and then based on the chosen enrolled status of dependents, they will also be credited the amount the City provides for the tier the employee is enrolled in. If there is a balance on the actual premium that the City is charged after the City contributions have been applied, the employee will be responsible for that balance. This payment method will ensure that the family is properly enrolled and that the employee will be charged the correct deductibles and out of pocket maximums based on the enrollment.

Eligible participants who continue working past the age of Medicare eligibility have the option of continuing coverage under the group plan or withdrawing from coverage under the group plan and choosing coverage under the Federal Medicare system, assuming all other Medicare eligibility conditions have been met.

Employees may choose to waive their Medical and/or Dental coverage if they can demonstrate that they have other group coverage. After signing a waiver, of the Medical Insurance coverage, the City will pay the employee a stipend determined by the City Manager, for each month the coverage is waived. This payment will be made in December of each year for the months the employee was not enrolled in the City's group medical plan(s).

For Employees hired prior to July 1, 2012, upon retirement a group sponsored Medicare plan is provided. However, if the employee does not enroll in the City sponsored plan, they will not be eligible to receive this benefit in the future.

408 - CITY PROVIDED ADDITIONAL BENEFITS

Active employees who are full-time regular are provided with basic Life/Accidental Death and Dismemberment (AD&D) insurance coverage through the City's group Life/AD&D Insurance Program.

Long-Term Care Insurance

Long-term care benefit is intended to provide care in the event of a long-term illness or a chronic condition. Long-term care insurance will help ensure financial resources are in place should an employee require extended care at home, in an assisted living facility or nursing home. Two years of full time employment is required to be eligible for this benefit.

Long-Term Disability Insurance

Long-term disability pays a full-time regular employee a percentage of their monthly earnings if they become disabled. The gross monthly benefit is 60% of base pay after 180-day elimination period and after sick leave is exhausted. The benefits are offset with other continuation benefits (see insurance certificate for details). The maximum benefit duration is to age 65 or to the age the employee reaches their full retirement age.

Other Optional Employee Benefits

The City offers other employee benefits that are optional to the employee and available at the employee's own expense. Employees may purchase from vendors additional insurance coverage and options. Premiums for optional coverage shall be deducted from the respective employees' paychecks.

409 – COBRA

Pursuant to Federal law the Consolidated Omnibus Budget Reconciliation Act (COBRA), the City offers eligible participants (including dependents) in the City's group health insurance programs the opportunity to extend, at their own expense, their health insurance coverages temporarily in certain instances, called "qualifying events," in which coverage under the group health plan would otherwise terminate. An administrative processing fee of up to two percent (2%) may be added to the premium by the COBRA administrator.

Qualifying Events for Employees

- Voluntary or involuntary termination of employment for reasons other than gross misconduct.
- Reduction in the number of hours of employment below plan eligibility requirements.

Qualifying Events for Spouses

- Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct.
- Reduction in the hours worked by the covered employee below plan eligibility requirements.
- Covered employee's becoming entitled to Medicare.
- Divorce or legal separation of the covered employee.
- Death of the covered employee.

Qualifying Events for Dependent Children

- Loss of dependent child status under the plan rules.
- Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct.
- Reduction in the hours worked by the covered employee below plan eligibility requirements.
- Covered employee's becoming entitled to Medicare.
- Divorce or legal separation of the covered employee.
- Death of the covered employee.

If separation or reduction in hours is the qualifying event that triggers continuation coverage, then it can be in effect for up to 18 months. All other qualifying events will trigger continuation coverage that lasts up to 36 months.

Employees and family members have the responsibility to inform the Plan Administrator about any change in status. Failure to do so may terminate rights to continued coverage. Those eligible for COBRA coverage have 60 days from the date they would normally lose coverage to elect to continue under the COBRA provision.

410 - RETIREMENT PROGRAM

Defined Benefit Plan (Pension)

Employees hired before July 1, 2012 participate in an employer-sponsored defined benefit retirement plan where benefits are allocated based on a formula using factors such as salary history and duration of employment. Investment risk and portfolio management are entirely under the control of the City.

It is 'defined' in the sense that the formula for computing the employer's contribution is known in advance. The formula used is based on the employee's final salary. Under this formula, benefits are based on a percentage of average earnings during a specified number of years at the end of a worker's career.

Defined Contribution Plan (401(a))

Employees hired on or after July 1, 2012 participate in a 401(a) defined contribution retirement plan. The amount of the City's annual contribution is specified by City Council. Individual accounts are set up for participants and benefits are based on the amounts credited into these accounts (through employer and employee contributions) plus any investment earnings. Only City contributions are guaranteed, not future benefits. Employees contribute a predetermined portion of his/her earnings to an individual account, a portion of which is matched by the City.

Vesting Provisions

Vesting is the conveying to an employee of unconditional entitlement to a share in a pension fund or defined contribution plan. Employees are vested when they have participated in the 401(a) plan for five years.

Elective Contributions

In addition, employees may participate in a 457 plan which is a non-qualified plan that provides a tax advantage on deferred compensation. Employees can elect substantial tax deferred contributions in addition to amounts contributed into the 401(a) plan. There is also a catch up provision for employees who are at least 50 years old.

Final Pay Contributions

Eligible vested employees in the 401(a) plan will have one half (1/2) of accumulated sick leave paid into the 401(a) plan upon retirement or termination of employment.

For additional information on how these plans work, employees can contact the Human Resources Department.

411 - WELLNESS PROGRAM

The wellness program, under the direction of the Wellness Committee and the Human Resources Department, promotes the physical and mental wellness of employees and their families. Participation in the annual health risk assessment and biometric screening program is strongly suggested for all current full-time regular employees; employees enrolled on the City's group medical plan(s) will need to participate in the HRA to participate in the incentive.

The City provides annual biometric screenings at no cost to employees enrolled in the group medical plan(s). Long term prevention programs are designed specifically to target chronic health problems. The City's Wellness Clinic was established to help employees and their dependents control and manage high risk factors. Wellness initiatives as well as health coaches are provided to better educate and re-energize employees to inspire them to take the appropriate steps toward leading a healthier lifestyle.

412 - HEALTH INSURANCE PORTABILITY AND PROTECTION ACT (HIPPA)

HIPAA's Title II requirements cover the privacy and security of individual health information used, transmitted, and retained by employer health plans and other covered entities, and the electronic transmission of certain health data. This information is known as protected health information (PHI). Under the Health Information Technology for Economic and Clinical Health Act (HITECH) The City of Columbia has the designation of a hybrid entity.

Health Plans Subject to HIPAA's Privacy Regulations

- Major medical, pharmacy, disease-specific policies (such as cancer coverage)
- Dental, vision, long-term care, mental health
- Some Employee Assistance Programs (EAPs)
- Health Flexible Spending Accounts (FSAs)

Privacy Regulations Apply to Covered Entities and Business Associates (the Plan Administrator) Health Plans

- Any plan that provides health benefits or pays for health care
- Includes insured and self-funded employer health plans, HMOs, and insurers.

Health Care Providers

- Applies if they transmit health data electronically
- Can include on site clinics and medical facilities.

Health Care Clearinghouses

- Billing agents and firms that process electronic health information

Typically employers, third party administrators (TPAs), disability plans and worker's compensation plans and agencies are not covered entities. However, HIPPA regulations make it clear that employers and the TPAs may be affected based on their roles as plan sponsors and business associates.

HIPPA regulations affect the City and any group health plan sponsored by the City, although employers are not directly regulated by the regulations. The Plan Administrator for a group health plan is responsible for ensuring the plan's compliance with regulations.

SECTION 500

FAMILY, MEDICAL and OTHER LEAVE

501 - FAMILY AND MEDICAL LEAVE

Purpose

The Family Medical Leave Act (FMLA) entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

Eligible employees are entitled to twelve workweeks of leave in a 12 month period for:

- The birth of a child and to care for the newborn child within one year of birth.
- The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement.
- To care for the employee's spouse, child or parent who has a serious health condition.
- A serious health condition that makes the employee unable to perform the essential functions of his/her job.
- Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a covered military member on "covered active duty" **or** Twenty-six workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness who is the spouse, son, daughter, parent, or next of kin to the employee (military caregiver leave).
- Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is on (or has been notified of an impending call to) "covered active duty" in the Armed Forces.
- "Covered active duty" for members of a **regular** component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.
- "Covered active duty" for members of the **reserve** components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of title 10, United States Code.

The definition of "spouse" under FMLA has been expanded to include uniform treatment of same sex spouses married in a state where the "celebration" took place rather than the state of residence. Opposite sex couples who enter into a legal common law marriage will retain their FMLA eligibility rights when living in a state that does not recognize common law marriage. The Department of Labor does not consider a civil union to be a marriage for the purposes of defining a spouse under FMLA.

The definition of "son and daughter" under FMLA has been expanded to ensure that an employee who assumes the role of caring for a child receives parental rights to family leave regardless of the legal or biological relationship.

Employee Eligibility

To be eligible for FMLA benefits, an employee **must**:

- work for a covered employer; and
- have worked for the employer for a total of 12 months; and
- have worked at least 1,250 hours over the previous 12 months immediately preceding the date leave commences.

Guidelines

The twelve week period runs concurrently with any paid or unpaid leave available to the employee including leave for a work-related injury.

Employees requesting family and medical leave are required to exhaust any and all available accumulated leave with pay prior to taking any leave without pay during family and medical leave. The total amount of family and medical leave may not exceed twelve (12) weeks in a twelve-month (12-month) period.

If two employees are married to each other and wish to take family and medical leave for the care of a new child or a sick parent, their aggregate leave is limited to twelve (12) weeks. For example, if the mother takes eight weeks leave to care for a child, the father would be entitled to up to four weeks of leave, for a total of twelve (12) weeks.

Under some circumstances, employees may take FMLA leave intermittently – taking leave in separate blocks of time for a single qualifying reason – or on a reduced leave schedule – reducing the employee’s usual weekly or daily work schedule. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer’s operation. If FMLA leave is for birth and care, or placement for adoption or foster care, use of intermittent leave is subject to the employer’s approval.

Military caregiver leave entitles an eligible employee who is the spouse, son, daughter, parent, or next of kin of a “covered service member” to take up to 26 workweeks of FMLA leave in a single 12-month period to care for a “covered service member” with a “serious injury or illness”.

The definition of “covered service member” is expanded to include a **veteran** “who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness” if the veteran was a member of the Armed Forces “at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

For a current member of the Armed Forces the definition of “serious injury or illness” is amended to include not only a serious injury or illness that was incurred by the member in line of duty on active duty but also a serious injury or illness that “existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces” that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating.

For a veteran, a serious injury or illness is defined as “a qualifying injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.”

“Serious health condition” means an illness, injury, impairment, or physical or mental condition that involves either:

- Inpatient care (*i.e.*, an overnight stay) in a hospital, hospice, or residential medical-care facility, including any period of incapacity (*i.e.*, inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care; or
- Continuing treatment by a health care provider, which includes:
 - (1) A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also includes:
 - a. Treatment two or more times by or under the supervision of a health care provider (*i.e.*, in-person visits, the first within 7 days and both within 30 days of the first day of incapacity; or
 - b. One treatment by a health care provider (*i.e.*, an in-person visit within 7 days of the first day of incapacity) with a continuing regimen of treatment (*e.g.*, prescription medication, physical therapy); or
 - (2) Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or
 - (3) Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; or
 - (4) A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or
 - (5) Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

Right To Return To Work

On return from family medical leave, an employee is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An employee is

entitled to such reinstatement even if the employee has been replaced or his or her position has been restructured to accommodate the employee's absence.

If the employee is unable to perform the essential functions of the position because of a physical or mental condition, including the continuation of a serious health condition, the employee has no right to restoration to another position under the FMLA. However, the City's obligations may be governed by the American with Disabilities Act.

Notification and Scheduling

An eligible employee must provide the City at least 30 days advance notice of the need for family and medical leave for birth, adoption, or planned medical treatment when it is foreseeable. This 30-day advance notice is not required in cases of medical emergency or other unforeseen events, such as premature birth or sudden changes in a patient's condition that require altering scheduled medical treatment. Parents who are awaiting the adoption of a child and are given little notice of the availability of the child may also be exempt from this 30-day notice.

It is the City's responsibility to designate in writing leave as family and medical leave and to notify the employee.

Certification

The City reserves the right to verify an employee's request for family and medical leave. If an employee requests family and medical leave because of a serious health condition or to care for a family member with a serious health condition, the City requires that the request be supported by certification from the health care provider of either the eligible employee or the family member, as appropriate.

This certification must contain the date on which the serious health condition began, it's probable duration, and appropriate medical facts within the knowledge of the health care provider regarding the condition. For family members, the certification must state the employee's need to care for the son, daughter, spouse, or parent and must include an estimate of the amount of time the employee is needed to care for the family member. Medical certifications will be treated as confidential and privileged information.

An employee may be required to report periodically to the City the status and the intention of the employee to return to work. Before return is granted, employees who have taken family and medical leave under this policy for their own care may be required to furnish the City with a medical certification from the employee's health care provider that the employee is able to resume work.

Maintenance of Health and COBRA benefits during Family and Medical Leave

The City will maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. Arrangements will need to be made for employees to pay their share of health insurance premiums while on leave if they are not

receiving pay from the City. The City may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

Reinstatement

Employees who are granted leave under this policy will be reinstated to an equivalent or the same position held prior to the commencement of their leave. Certain highly compensated key employees, who are salaried and among the ten percent (10%) highest paid workers, may be denied reinstatement.

The Twelve (12) Month Family and Medical Leave Period

The twelve-month (12-month) period during which an employee is entitled to twelve (12) workweeks of family and medical leave is determined on a calendar year basis.

If an employee fails to provide a requested fitness-for-duty certification to return to work, the City may choose to delay reinstatement until the employee submits the certificates.

502 - MILITARY LEAVE

City employees who are called to active military duty are entitled to military leave, reemployment rights and benefits under both State and Federal law upon their return from active duty. Employment discrimination because of past, current, or future military service is prohibited.

Reservists' Leave

All employees of the State who are or may become members of any reserve component of the Armed Forces of the United States, including members of the Tennessee Army and Air National Guard, shall be entitled to a leave of absence from their respective duties, without loss of time, pay, regular leave or vacation, impairment of efficiency rating, or any other rights or benefits to which otherwise entitled for all periods of military service during which they are engaged in the performance of duty or training in the service of this State, or of the United States, under competent orders. An employee while on such leave shall be paid salary or compensation for a period, or periods, not exceeding twenty (20) working days in any one (1) calendar year plus any additional days as may result from any call to Active State Duty. After the twenty (20) working days of full compensation, members of any component of the Armed Forces of the United States may use up to five (5) days of sick leave in lieu of annual leave for the purposes of not having to take leave without pay.

An employee called to active duty by the Governor to enforce the laws of the State shall be paid his/her regular salary for such time as he/she is engaged in the performance of his/her duty, and any time spent in Active State Duty shall not count against the twenty (20) day period of leave allowed for military service.

Employees on leave of absence for military service do not continue to accumulate vacation or sick leave. Employees on military leave of absence are entitled to elect continued health insurance benefits for up to eighteen (18) months and may be required to pay the employee cost of such benefits. And, an employee may be required to pay the employee cost of any other continued funded benefit to the extent other employees on furlough or leave of absence are required to do.

Employees returning from military service are entitled to restoration of employment with seniority, status, and pay rate as if continuously employed.

Reinstatement

Within the guidelines established by Federal and State laws, employees who take leave to serve in the Armed Services are entitled to reemployment with the City provided:

- Advance written or verbal notice of military service is provided to the City, unless such notice is precluded by military necessity or is otherwise impossible or unreasonable.
- Cumulative absence due to military reasons does not exceed five years.
- The employee reports to work or applies for reemployment on a timely basis as follows:
 - Employees with military service of thirty (30) days or less or absences for the purpose of an examination to determine fitness for service must report to the City no later than the beginning of the first regularly scheduled work day following completion of service and eight (8) hours after a period sufficient to allow safe transportation of the employee from the place of service to the employee's residence.
 - Employees with military service of more than thirty (30) days but not more than 180 days must submit an application for reemployment no later than fourteen (14) days following completion of service (or within the next calendar day that application becomes possible when application within that period is impossible or unreasonable through no fault of the employee).
 - Employees with military service of more than 180 days must submit an application for reemployment no later than ninety (90) days following completion of service.

An employee's failure to report within the time described above subjects the employee to the City's policy regarding authorized absence from work.

An employee disabled by injury or illness in connection with military service is afforded a period of recovery not to exceed two (2) years. The reemployment rights stated above apply provided the employee reports or applies for reemployment within the time limits set above. Employees returning from military leave who meet the criteria for reinstatement are entitled to be placed in certain positions as described below according to the following order of priority:

- 1) An employee whose period of service is 90 days or less must be reemployed in the position he or she would have held had his or her employment not been interrupted by service.

- 2) An employee whose period of service is more than 90 days must be reemployed in the position he or she would have held had his or her employment not been interrupted by service or in a position of like seniority, status, and pay for which the employee is qualified.
- 3) The City will make a reasonable effort to qualify a returning employee who is not qualified or is no longer qualified for positions that he or she was qualified for prior to Military Leave; however, the City is not required to place an individual in a position for which he or she is not qualified, if doing so would impose undue hardship on the City.
- 4) An employee returning with a service-related disability which renders the employee unqualified for his or her former position must be employed in a position of equivalent seniority, status, and pay which the employee is qualified to perform (or which the City can qualify to perform with reasonable efforts) or, if such equivalent position does not exist, in the nearest approximation to such position in terms of seniority, status, and pay.
- 5) When a position as described above does not exist, the returning employee must be employed in any other available position of lesser status and pay which the employee is qualified to perform, with full seniority.

A returning employee is entitled to the same seniority and other rights and benefits he or she would have had if the employee had remained continuously employed.

While in the service, an employee is entitled to the same benefits as other employees on leave of absence, including the use of paid sick and vacation leave at the employee's election. Accrued annual leave may be taken in lieu of leave without pay. Accrued sick leave may be taken if the employee provides proof to the City that he or she was sick while serving in the armed services. The employee is required to pay any benefit costs which are normally paid by other employees on leave.

A reemployed employee whose period of service is more than 30 days but not more than 180 days may not be discharged (except for cause) within 180 days of reemployment; an employee whose service is more than 180 days may not be discharged (except for cause) within one year following reemployment.

An employee may, while in the service, elect to continue City health plan coverage for a period of 18 months or, where the employee's leave is less than 18 months, until the day after the date on which the employee fails to apply for or return to City employment as required by the Act.

An employee in the service for 30 days or less is required to pay only the employee's portion of the insurance premium.

- An employee in the service for more than 30 days must pay both the employee and employer share of the premium.
- If coverage is terminated at the employee's option, a waiting period for reinstatement upon return to employment may not be imposed.

For retirement purposes, a returning employee is considered as not having incurred a break in service.

- Following the employee's return to City employment, the City must make the retirement plan contributions which would have been made in the absence of a break in service not to exceed five years.
- Employer and employee contributions are based on the rate of pay the employee would have received had he remained continuously employed.

Reemployment rights may be waived by an employee but such waiver may be relied on by the City only if the waiver is in writing and clearly states that the employee is aware of the rights guaranteed by the Act that are being surrendered.

503 - JURY DUTY LEAVE

Active employees selected for jury duty service shall be excused from regular duty, with pay, according to the guidelines set forth in TCA 22-4-108. An employee receiving compensation related to a summons for jury duty must submit the summons to their supervisor.

The employee shall be entitled to the employee's usual compensation received from such employment. Any jury duty pay or other compensation paid by the court for jury duty service is retained by the employee.

504 - MATERNITY/PATERNITY LEAVE

Pursuant to the Tennessee Maternity/Paternity Leave Act of 2005, TCA 4-21-408, any regular employee who has been employed full time by the City for at least one year shall be granted leave for a period not to exceed four (4) months for the purpose of pregnancy, childbirth, and nursing the infant, or for the adoption of a child.

An employee who gives the City at least three (3) months' advance notice (unless prevented from doing so because of emergency medical necessity) of their anticipated date of departure for maternity/paternity leave, length of leave, and their intention to return to employment after the leave, shall be restored to their previous or a similar position with the same pay status, pay, length of service credit and seniority, as applicable, as of the date of the leave.

The employee shall be required to exhaust any and all allowable accumulated leave with pay prior to taking any leave without pay during maternity/paternity leave. Any maternity/paternity leave (whether with or without pay) shall simultaneously be considered and treated as family and medical leave to the extent such leave is and remains available to that employee.

505 - BEREAVEMENT AND FUNERAL LEAVE

Bereavement Leave

Active full-time regular employees are granted 24 work hours of bereavement leave (which is defined as leave with pay) in the event of the death of any member of the employee's immediate family. Immediate family is defined as:

- the employee's current spouse;
- A mother/father; (Includes steps and in-laws)
- A brother/sister; (Includes steps or halves and in-laws)
- A child (step-child if the employee is directly responsible)
- Domestic partners and their children;
- Great Grandparents;
- Grandparents;
- Grandchildren;
- Daughter/son in-law;
- Other persons with whom the employee has a "loco parentis" relationship (In loco parentis" means the employee has the day-to-day responsibilities for the care and financial support of a child or persons who had such a responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.).

In cases requiring extensive travel time, time needed to settle an estate, or additional grief time, the employee may be granted additional leave. The additional time may be charged to the employee's accrued and unused sick leave, but only if authorized by the employee's department head.

Funeral Leave

- Active employees who are full-time regular are allowed one regularly scheduled work day of funeral leave (which is defined as leave with pay) in the event of the death of any member of the employee's immediate family (as defined above) or extended family. For the purposes of this policy extended family is defined as:
- Step-child;
- Great Grandparent;
- Grandparent;
- Grandchild; (Include steps, halves and in-laws of the same relationship)
- Aunt/Uncle;
- Niece/Nephew;
- Son-in-law/Daughter-in-law;
- Legal dependent of the employee.

506 - INCLEMENT WEATHER LEAVE

Whenever it is determined that the health or safety of citizens or employees would be placed at risk or that conditions or events prevent performance of regular operations, services or responsibilities, City offices or a subsection thereof may be closed. The City Manager shall make decisions regarding the conditions affecting the closure. In situations regarding inclement weather, the Director of Public Works, Wastewater, Police and Fire will determine the requirements for their department's operation.

Regular employees will receive their regular pay if the City Manager announces that offices are closed. Part-time regular employees, who are scheduled to work when the City announces offices and facilities are closed, will be paid for the hours they were scheduled to work when the closure occurred. However, if City offices are not closed and the employee determines it is not safe to travel, they may use accumulated vacation or compensatory leave.

If inclement weather or other emergency conditions develop during the workday, employees will be notified by telephone and/or email of any authorized changes to normal work hours. If such conditions develop during the night and warrant delayed opening or official closing, official announcements will be made by posting notice on the City's website (www.columbiatn.gov) or employees may sign up for text alerts..

507 - LEAVE OF ABSENCE WITHOUT PAY

A leave of absence without pay is an authorized, temporary release of an employee from the payroll. Leaves of absence are granted either under the provisions of applicable federal or state laws or by the City at the discretion of the employing department with City Manager approval to protect employment and certain benefit rights for a specific period of time.

Leave of Absence Without Pay due to Illness, Injury or Pregnancy

Employees who do not meet the criteria for Family and Medical Leave, or who have expended their allowable leave, may apply for a leave without pay for their own illness, injury or pregnancy.

The employee must have exhausted all paid leave prior to leave without pay, unless the leave is due to a worker's compensation injury or illness. The employee must provide a health care provider's statement which advises on his/her physical inability to perform the job. The approval and duration of the leave is at the discretion of the department head who has the authority to approve leave and will be based on a health care provider's statement, the individual's ability to perform job duties, and the needs of the employing department. Leave granted under this provision will normally not exceed 26 weeks (6 months) duration, (less may be granted if the employee's continuing absence would substantially conflict with the needs of the department).

Leave of Absence Without Pay due to Personal Reasons

A leave of absence without pay may be granted to a regular employee for personal reasons only after eligible leave with pay (vacation, compensatory) has been exhausted. Consideration of a request for personal leave should be based upon the effect of such leave on the department's workload and the reason for the leave. Leave granted under this provision will normally not exceed 26 weeks duration.

Requests and Approvals for Leave of Absence Without Pay

All requests for leave of absence without pay must be submitted in writing. Such requests should be made in advance if possible and as soon as the employee determines leave is necessary. The employee should fully outline the purpose for the request, and attach any pertinent documentation such as a statement from the health care provider, etc. The leave of absence must be approved by the department head. Department heads are urged to consult with the Human Resources department if unsure whether a particular request qualifies for the type of leave requested.

Before an employing department may fill the position of an employee who is on leave without pay and not covered by FMLA with a regular replacement, written permission must be obtained from the City Manager and filed with the Human Resources department.

Benefits Administration

An employee due to go on a leave without pay for any reason should contact the Human Resources department immediately to discuss benefits during leave. If possible, this should be done in advance of the leave without pay.

Accrued leave benefits are to be handled as follows:

- Accrued vacation leave, sick leave, and compensatory time must be expended prior to taking leave without pay under the provisions of the Family and Medical Leave Act unless the leave is due to a worker's compensation injury or illness. The use of sick leave is strictly limited to those situations clearly falling within the definition of sick leave contained in the Sick Leave Policy.
- Leave taken under any of the provisions stated in this policy does not entitle the employee to receive the City contribution in any month in which no salary is paid.
- In all instances, the employee must pay the monthly employee's contribution, and the City's contribution, by specified deadlines each month to retain coverage. Coverage discontinued while on leave of absence without pay will not be automatically reinstated upon return to employment. Some coverage may be reinstated only with approval of the issuing company.

General Provisions

Failure to return to work upon expiration of approved leave will be considered a voluntary termination of employment. In such cases, an individual desiring to return to work will be treated as a new applicant.

An employee who returns to employment at the termination of a leave of absence without pay will normally be reinstated in the same position he/she formerly held, or in a position of similar status or pay.

Subject to fiscal constraints, approval of such leaves constitutes a guarantee of employment for a specified period of time.

508 - RETURN TO WORK

Employees returning to work after an absence of more than five (5) consecutive work days may be required to provide a statement from a physician. In such instances, the City also invokes the right to require employees to submit to an examination by a physician designated by the City at its discretion. Employees receiving any type of disability compensation or on medical leave of absence are considered to be unable to work. Employment conducted outside of the employee's regular job in these situations will result in disciplinary action.

SECTION 600

SAFETY

601- WORKPLACE SAFETY

It is the policy of the City to provide a safe and comfortable work environment for all employees. The City has established workplace safety procedures and regulations that comply with regulatory requirements and which are intended to increase safety consciousness among all employees. It is City policy to maintain a constant vigilance of all workplace safety programs, and where workplace safety standards are found to be deficient; the City shall take immediate action to correct the situation. The City adheres to the philosophy that the safety of the employees and the public is a high priority. The City Manager retains overall responsibility for oversight of the City's workplace safety program.

The City Manager shall appoint a Workplace Safety Coordinator who is responsible for the development and effective implementation of the City's Workplace Safety Program. The Workplace Safety Coordinator is charged with the responsibility of the preparation and promulgation of the City's Workplace Safety Manual, with amendments as necessary, for advance approval by the City Manager, to meet compliance with Federal and State workplace safety standards and laws. The plans and programs contained therein shall be at least as stringent as the Federal and State standards on the same issues and shall include the following:

The Workplace Safety Committee Members and/or the Workplace Safety Coordinator shall have the right to enter, at any reasonable time, any work area under the control of the City, and to inspect and investigate any such place of employment and all pertinent conditions, processes, machines, devices, equipment, and materials therein, and to question privately any supervisor or employee.

The Workplace Safety Coordinator or a Workplace Safety Committee Representative may require the attendance of employees, and may interview employees and require the presentation of evidence, for the purpose of confirming or supplementing findings.

The City emphasizes the necessity for all employees to recognize and report workplace safety and health problems, to avoid unsafe working conditions, and to learn and practice acceptable workplace safety techniques.

All employees shall be informed of applicable procedures and standards set forth by the Tennessee Occupational Safety and Health Act. The Workplace Safety Coordinator is responsible for the administration of the City's Workplace Safety Program and serves as the primary liaison within the City organization for workplace safety purposes.

A Workplace Safety Committee comprised of representatives from seven (7) departments work with the Workplace Safety Coordinator to ensure the City is in compliance. The Workplace Safety Coordinator shall coordinate and direct the operations of the Workplace Safety Committee. The duties of the Workplace Safety Committee shall be prescribed in

the Workplace Safety Manual. Department heads will determine membership of the Workplace Safety Committee based on the groups' expertise in workplace safety matters

602 - WORKERS' COMPENSATION PROGRAM

All injuries arising out of and in the course of one's employment shall be governed by the Tennessee Workers' Compensation Law. Employees on work-related injury leave shall receive disability benefits in accordance with Tennessee Department of Labor regulations. The Human Resources Director, under the direction of the insurance carrier or its representatives, shall coordinate all workers' compensation claims. The employee shall be required to communicate to and coordinate all activities (i.e., medical care, restricted duty, return to work, etc.) through the Human Resources Department. Failure to follow proper procedure may result in disciplinary action and/or denial or loss of workers' compensation benefits.

The date of injury and the first seven (7) calendar days immediately following are a waiting period and no disability benefits are payable by the insurance carrier unless the disability period lasts at least fourteen (14) calendar days, in which case disability benefits shall be calculated beginning with the day following the injury. Disability benefits are based on two-thirds (2/3) of the employee's gross average weekly wage for the last 52 weeks worked prior to the injury, subject to the minimum and maximum benefits as provided by law.

On the day or shift of the work-related injury, and during the first seven (7) calendar days immediately following the date of injury of any work-related injury leave, the injured employee shall be paid in full by the City his or her wages or salary the same as if that employee had worked during that time as scheduled. After the first seven (7) calendar days immediately following the date of injury, the injured employee will not be paid wages or salary while on work-related injury leave but any workers' compensation disability benefits paid by the insurance carrier for that same period of time shall be credited to the injured employee. Accrued leave with pay may not be utilized at any time during work-related injury leave.

The City of Columbia will **NOT** be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the City, unless the program has been approved by the City Manager.

603 - DISTRACTED DRIVING

There are three main types of distraction:

- Visual — taking your eyes off the road
- Manual — taking your hands off the wheel
- Cognitive — taking your mind off what you're doing

Distracted driving is any non-driving activity a person engages in while operating a motor vehicle. Such activities have the potential to distract the person from the primary task of driving and increase the risk of an accident.

“Hands Free Tennessee” – Public Chapter 412 makes it illegal for a driver to:

- Hold a cellphone or mobile device with any part of their body,
- Write, send or read any text-based communication
- Reach for a cellphone or any mobile device in a manner that requires the driver to no longer be in a seated driving position or properly restrained by a seatbelt
- Watch a video or movie on a cellphone or mobile device, and
- Record or broadcast video on a cellphone or mobile device.

A function or feature of a wireless telecommunication device or stand-alone electronic device is mounted on the vehicle's windshield, dashboard, or center console in a manner that does not hinder the driver's view of the road; and the driver's hand is used to activate or de-activate a feature or function of the wireless telecommunications device or stand-alone electronic device with the motion of one (1) swipe or tap of the driver's finger, and does not activate camera, video, or gaming features or functions for viewing, recording, amusement, or other non-navigational functions, other than features or functions related to the transportation of persons or property for compensation or payment of a fee.

Exemption for Public Safety – Fire and Police

- Officers of the state or of any county, city, or town charged with the enforcement of the laws of this state, or federal law enforcement officers when in the actual discharge of their official duties;
- Campus police officers and public safety officers, as defined by 49-7-118, when in the actual discharge of their official duties;
- Emergency medical technicians, emergency medical technicians-paramedics, and firefighters, both volunteer and career, when in the actual discharge of their official duties;
- Emergency management agency officers of this state or of any county, city, or town, when in the actual discharge of their official duties.

604 - INFECTIOUS DISEASE CONTROL POLICY

In providing municipal services, employees may come in contact with life-threatening infectious diseases that can be transmitted through job-related activities. It is important that both citizens and employees be protected from the transmission of diseases just as it is equally important that neither is discriminated against because of basic misconceptions about various diseases and illnesses.

Occupational exposures may occur in many ways, including needle sticks, cut injuries or blood spills. Some—employees are assumed to be at a higher risk for blood borne infections material from potentially infected individuals.

Personal Protective Equipment (PPE) is provided to high risk employees at no cost to them. Training in the use of the appropriate PPE for specific tasks or procedures is provided by the employee's supervisor.

The City implements various methods of exposure control including:

- Body substance isolation
- Engineering and work practice controls
- Personal protective equipment
- Hepatitis B vaccination
- Post-exposure evaluation and follow-up
- Communication of hazards to employees and training
- Recordkeeping
- Procedures for evaluating circumstances surrounding exposure incidents

Employees covered by the blood borne pathogens standard receive an explanation of the exposure control plan during their initial training. It will also be reviewed in their annual refresher training. Each department will provide, maintain and ensure adequate supplies of all necessary Personal Protective Equipment (PPE), engineering controls (e.g., sharps containers), labels, and red bags as required by the standard. Regulated waste is placed in containers which are closable, constructed to contain all contents and prevent leakage, appropriately labeled or color-coded, and closed prior to removal to prevent spillage or protrusion of contents during handling.

The Benefits/Safety Coordinator will:

- Make an exposure determination for all employee positions to determine a possible exposure to blood or other potentially infectious materials;
- Maintain records of all employees and incidents subject to the provisions of the policy;
- Conduct periodic inspections to determine compliance with the infection control policy by municipal employees;
- Coordinate and document all relevant training activities in support of the infection control policy;
- Identify any and all housekeeping operations involving substantial risk of direct exposure to potentially infectious materials and shall address the proper precautions to be taken while cleaning rooms and blood spills; and

- Perform such other duties and exercise such other authority as may be prescribed by the City Manager.

605- DRIVING RECORDS

Any employee who is required as an employment condition to possess and maintain a valid Tennessee driver's or commercial driver's license in order to perform functions of their City job must immediately, or at the latest upon reporting for duty the next workday, inform his or her supervisor should his or her license become denied, expired, restricted, suspended, or revoked any time during employment with the City.

An employee's driving record may be subject to periodic MVR checks. Any employee who is required as an employment condition to possess and maintain a valid Tennessee driver's or commercial driver's license in order to perform functions of their City job, whose license is not currently valid, and who has not so informed his or her supervisor of such invalidity, shall be subject to disciplinary measures.

606 - SEAT BELTS

All City employees must wear seat belts when they are driving or riding in a City vehicle. Seat belts must be fastened and remain fastened until the vehicle comes to a complete stop. This applies to both licensed and off the road, non-licensed vehicles whenever seat belts are provided.

607 - IDENTITY THEFT POLICY

The City of Columbia maintains accounts for its customers to pay tax bills. These accounts are covered accounts under the Red Flag Rules adopted by the Federal Trade Commission (FTC) in 16 C.F.R. § 681.2. The City adopts this Identity Theft Prevention Policy to comply with 16 C.F.R. § 681.2 which is designed to detect, prevent and mitigate identity theft in connection with these customer accounts. The accounts covered by this policy shall be referred to as customer accounts.

For purposes of this Policy, the term "Identity Theft" means a fraud committed or attempted using the identifying information of another person without authority. For purposes of this policy, the term "Red Flag" means a pattern, practice, or specific activity that indicates the possible existence of identity theft. Section II.C provides a specific description of which Red Flags are applicable to this policy.

The City allows access to account information using the following methods:

- In person at City Hall with proper identification;
- Over the telephone after providing certain identifying information;
- Over the internet using a secure password.

In identifying relevant Red Flags associated with customer accounts, the Council and management have considered the following categories of Red Flags for identity theft.

- Alerts, notifications and warnings from consumer reporting agencies;
- Presentation of suspicious personal identifying information;
- The unusual use of or other suspicious activity related to a customer account;
- Notices of potential identity theft including: notices from customers, law enforcement authorities, or other persons indicating that a customer may have been a victim of identity theft, notice to the City that a customer has provided information to someone fraudulently claiming to represent the City.

If a City employee detects a red flag, the City employee shall notify the City Recorder; if the City discovers that any of its customers have become victims of identity theft, the City will notify the police department.

The City will update the policy and procedures as necessary to reflect changes in risks, ways to prevent and mitigate identity theft, changes in services and changes in business arrangements involving joint ventures and third party service providers.

The City Recorder shall provide training for all new employees who will have access to sensitive customer information. Training shall discuss the identification of relevant red flags, detection of red flags, and the prevention and mitigation of identity theft.

The City has business relationships with third party service providers. Under these relationships, the third party service providers have access to customer identifying information covered under this policy. The City Recorder shall ensure that third party service providers' work for the City is consistent with this policy by amending contracts to be consistent with this policy and ensuring that third party providers have reasonable alternative safeguards that provide protection for customer information.

SECTION 700

CITY PROPERTY

701 - USE OF CITY TIME, FACILITIES AND AUTHORITY

An employee may not use City facilities, equipment, and supplies for personal needs either during or beyond normal working hours unless authorized by the City. In addition, officials or employees may not make or attempt to make private purchases using the City of Columbia's name or resources including cash and purchasing cards.

Employees of the City may not use or attempt to use their position to secure any privilege or exemption for themselves or others that is not authorized by the Charter, general law, ordinance or policy of the City. A City employee in his/her relationships with any person, may not use the power or authority of his/her office or position in a manner intended to induce or coerce another person to provide, directly or indirectly, anything of value that will provide an advantage, benefit, or economic gain of the employee, or any other person.

No employee may use his/her official influence to assist any person for compensation, other than as done in the course of assigned duties and responsibilities.

No City employee may have any financial interest in the profits of any contract, service, or their work performed by the City; or personally profit directly or indirectly from any contract, purchase, sale, or service between the City and any person or company; or personally, or as an agent, provide any surety, bail, or bond required by law or subject to approval by the City Manager. No employee may accept any free or preferred services, benefits, or concessions from any person or company that might reasonably be interpreted as an attempt to influence his/her actions with respect to City business.

702 - USE OF CITY VEHICLES, MACHINERY AND EQUIPMENT

City vehicles, machinery and equipment are for official use only, except as delineated below.

No person other than an employee authorized by his or her department head may operate a City vehicle or piece of machinery or equipment. Drivers of vehicles must have a valid and current Tennessee driver's license and shall obey all traffic laws.

Only current officials and employees of the City are permitted to ride in any City vehicle unless authorization is given by the supervisor of the employee operating that vehicle. For Police and Fire vehicles, a completed ride waiver, approved by the Chief of Police or Fire Chief, is required.

Additional authorized person(s) for police vehicles include:

- An employee of the Columbia Police Department;
- A person under arrest;
- A person on police-related business, such as prosecutors, witnesses, stranded motorists, etc., with supervisory approval;

No City vehicles, machinery or equipment may be operated outside of Columbia city limits by any employee unless so authorized by the supervisor or department head of that employee.

Employees are prohibited from using City owned vehicles for personal use, except as provided in this policy. Vehicles may be used for meal and break stops taken in the course of employment.

Employees are expected to use City vehicles, machinery and equipment in a safe manner, in accordance with manufacturers' specifications, and as directed by each employee's supervisor. In particular, employees are to wear seat belts whenever operating any vehicle or machinery so equipped. Under no circumstances shall the vehicle, machinery or equipment be operated while the operating employee is under the influence of alcohol or any drugs that could adversely affect the employee's ability to operate the same both safely and efficiently.

Employees who are issued City equipment and/or property shall be responsible for the safekeeping, serviceable condition, and proper care, of City property assigned or entrusted to them. Any damage to any City vehicle, machinery or equipment, including that from normal wear and tear, shall be reported to the employee's supervisor immediately except in cases of emergency then as soon as possible. Failure to do so on the part of the employee responsible for any such damage may result in disciplinary action up to and including dismissal.

Damaged or unserviceable City equipment and/or property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority. In

the event that any City equipment and/or property become damaged or unserviceable, no employee shall attempt to repair the equipment and/or property without prior approval of a supervisor (unless it is part of his/her job).

All employees who handle City equipment are responsible for its care and security while under their control. The loss, damage or waste of City property or equipment through negligence, carelessness, or improper care or use may be grounds for disciplinary action up to and including dismissal. The employee responsible for such loss, damage or waste may be charged for the property in question or any repair, recovery or replacement costs.

Employees who receive traffic citations while operating a City vehicle are responsible for the payment of any fines, fees and/or assessments.

At the time of separation of employment, and prior to receiving final monies due, the employee shall return to his or her department any and all assets, books, keys, manuals, records, uniforms, tools and other items of City property in the employee's care and custody. Certification to this effect shall be made by the employee's supervisor or department head, and all monies due the City because of any shortages or unreturned property shall require repayment arrangement at the time of termination.

The City Manager may authorize certain employees to drive their assigned city-owned vehicles to their place of residence after normal working hours, but the vehicle may be utilized only for commuting and not for personal purposes.

703 - USE OF CITY-PROVIDED TECHNOLOGY

Computing is an integral part of the business functions of the City of Columbia. Many City functions that an employee encounters in carrying out their job functions and duties will require that employee to interact with the computing infrastructure and available resources. The computing resources at the City are the property of the City of Columbia. The City of Columbia reserves the right to take all necessary measures either proactively or in reaction to an event or the possibility of an event to protect those computing resources.

Each employee is expected to conduct their computing needs in a manner that in no way jeopardizes the availability of the system or any connected system whether owned by the City or some other entity. Additionally, the City of Columbia strictly prohibits the use of its computing facilities to engage in, participate in, or be party to any illegal activity. The City will monitor its systems in order to protect against such activity. Additionally, City employees are exposed to and have access to sensitive data resources and information, it is expected that the employee will take every known action to protect the privacy and sensitivity of those resources and information.

Any violation of this policy will result in corresponding disciplinary action by the City. Employees suspected to be in violation of this policy will be reported to the appropriate investigative unit, including but not limited to the MIS Department, Human Resources Department or the Police Department.

All employees of the City of Columbia are expected to be familiar this policy and agree to adhere to it prior to using any computing related facilities. Acceptance will be considered as a condition of employment with the City.

Purpose

The purpose of this policy is to protect the MIS resources and the data that is contained in, or manipulated by those MIS resources as used in the daily employment duties of employees. The shift of computing resources from a centralized data center to the desktop has resulted in a corresponding shift of some of the responsibility for maintaining and safeguarding those resources to the individual employee. The equipment, software and data used by each employee are expensive and vital assets of the City; and are the duty of every employee to protect.

Policy

It is the policy of the City of Columbia that computing resources are the property of the City to be used for City-related business. Employees have no expectation of privacy when utilizing City computing resources, even if the use is for personal purposes. The City reserves the right to inspect, without notice, the contents of computer files, regardless of medium, the contents of electronic mailboxes and computer conferencing systems, systems output, such as printouts, and to monitor network communication when:

- It is considered reasonably necessary to maintain or protect the integrity, security or functionality of City or other computer resources or to protect the City from liability.
- There is reasonable cause to believe that the users have violated this policy or otherwise misused computing resources;
- An account appears to be engaged in unusual or unusually excessive activity; and
- It is otherwise required or permitted by law. Additionally, the username and computing services of the individuals involved may be suspended during any investigation of misuse of computing resources.

All employees will adhere to Federal and State laws concerning privacy. Official releases of data under Freedom of Information requests are to be routed through the City Recorder's office.

All City data, public or private, will be stored in such a manner as to reasonably protect it from loss due to equipment failure, fire, theft, sabotage or human error. The City MIS Director establishes data retention periods.

All employees will safeguard their computer usernames and passwords. No employee will allow unauthorized persons access to City data or computing or network resources by sharing their username and password.

No employee will knowingly create access into the computing network in such a way as to bypass City security systems. Employees will make reasonable efforts to ensure that no software or hardware under their control allows unauthorized access to City data.

No employee will attempt to use the City network to gain unauthorized access to other computing resources or data, nor will they knowingly attempt to disrupt the operation of any computer system or network.

No employee will knowingly violate software licenses or copyrights during the course of their job duties or at any time while using City equipment or software. Employees are required to have the MIS Department review, authorize, requisition, and install any software on their City-supplied computer. This includes programming and contractual work performed by consultants and vendors.

No employee will use City data, computing resources or the network for illegal activities or for personal gain.

No employee will attach or install equipment not owned by the City (i.e. personal devices) to any City computer, network device, or wireless device. Examples of such devices are laptops, tablets, smartphones, iPods, MP3 players, digital cameras, voice recorders, etc.

Any detection of a software virus will be reported immediately to the MIS department.

No employee will use the City electronic mail system to falsify the identity of the source of electronic mail messages; send harassing, obscene or other threatening electronic mail; attempt to read, delete, copy, or modify the electronic mail of others without their authorization; or send, without official City authorization, "for-profit" messages, chain letters, or other unsolicited "junk" mail.

The MIS Policies and Procedures contain more detailed directions concerning City policies regarding information technology and can be found on the internal web site at <\\city\data\Misc\MIS>.

Disciplinary Action

The City will impose disciplinary sanctions on employees who violate the above policies. The severity of the imposed sanctions will be appropriate to the violation and/or any prior discipline issued to that employee.

705 - PERSONAL TELEPHONE CALLS

Using a City telephone during regular work hours for local and/or long-distance calls of a personal nature, except in emergency cases, is discouraged. Personal calls that must be made or received during business hours are permitted if they are held to a minimum and do not interfere with the employee's work.

The cost of any excessive long-distance personal telephone calls may require payment by the employee. Lengthy personal phone conversations on non-emergency matters may result in disciplinary action.

Telephone Courtesy

The telephone is often the only contact citizens have with the City. Telephone courtesy is essential. When employees answer general telephone lines, they should state "City of Columbia" and, if appropriate, the department's name. Employees who answer a direct line or a transferred call should identify the department's name if appropriate and state their own name. Employees should be pleasant, courteous, and professional to callers at all times.

Use of City-Provided Cell Phones

City employees are provided with all telecommunications equipment and services needed by or suitable for them to perform their essential job functions. City employees that require cellular telephones to perform their essential job functions will be enrolled in a "calling plan" considered to be appropriate for their City business needs.

Employees are required to turn their cell phones and personal digital devices off, turn them to silent mode, or ignore them while driving a City vehicle. The use of hands free devices or pulling off to the side of the road before speaking on the phone is required if electronic devices are not turned off. Under no circumstances should an employee text while operating a City vehicle. As with any policy, management staff is expected to serve as role models for proper compliance with the provisions of this policy and are encouraged to regularly remind employees of their responsibilities in complying with this policy. Supervisors need to refrain from calling or e-mailing employees when they know employees are on the road. Also refer to Policy 603 "Distracted Driving".

Under Internal Revenue Service regulations, occasional *de minimis* use of City provided telecommunications equipment and services does not give rise to taxable income to employees. Therefore, any City employee assigned access to telecommunications service or equipment that do not exceed their assigned "calling plan" minutes will not be considered to exceed the occasional *de minimis* rule. Any City employee who does not exceed their calling plan minutes in any month shall be deemed to be in compliance with the occasional *de minimis* rule and shall not be required to reimburse the City for any personal calls made during that month.

City cell phones should be password protected in the event that one is lost or stolen. If an employee loses or has a cell phone stolen, they should contact their supervisor

Use of Personal Cell Phones

Employee time is valuable, and work hours must be fully used for City business. However, reasonable "use of personal cell phones or telecommunications devices" policies can be imposed at the department level. City departments may limit or prohibit the use of personal cell phones, or other personal wireless devices during on-duty time and/or on City property by issuing departmental policies.

706 - BULLETIN BOARDS

At numerous locations, the City maintains bulletin boards on which important information connected with an employee's work and information required for public notice is posted from time to time. Cooperation is needed in protecting the posted material. All material to be placed on the bulletin boards must be approved by the appropriate department head before being posted.

707 - PARKING

The City provides employees space for parking personal vehicles. The City assumes no responsibility for loss or damage to employee vehicles or their contents, including any losses arising from fire, theft, or personal liability.

708 - TRAVEL POLICY

It is recognized that travel expenses will be incurred as a normal part of conducting City business. Furthermore, it is the policy of the City that all allowable expenses incurred on City business are reimbursed to the individual accordingly, when proper documentation is received by the employees' department head and audited by the Finance Department. Personal expenses incurred on City business remain the responsibility of the individual. An annual amount for travel, meals, transportation lodging, registration fees, and general out-of-pocket expenses may be budgeted for the City Council, Boards and Commissions, the City Manager, department heads, and other employees. This amount will be reviewed annually during the budget process and may be adjusted accordingly. Permissible functions are conferences and conventions, meetings, seminars and training sessions that are related to the operations of the City.

The City Council shall set the travel budget for the City Manager and the City Council. Travel budgets for boards, commissions, and management personnel shall be set by the City Manager subject to annual appropriations.

Submitting Expenses

Employees need to submit a request for authorization to travel to their supervisor prior to travel for approval. After travel is complete, an expense form is submitted to the Finance Department for reimbursement or reconciliation within two (2) weeks after completing the travel.

Eligible expenses include registration fees, lodging, meals, parking fees, transportation, telephone, tips, and other justifiable expenses that pertain directly to City business. Meals are not covered unless an overnight stay is involved. Meals and incidentals for in-state travel are covered at the current State rate; travel outside Tennessee will follow the Federal schedule.

Employees may request an advance of funds for travel expenses. Requests must be approved by the department head and Finance Director and requested 10 days prior to anticipated or scheduled travel. Lodging and registration fees will be paid directly to the hotel or organization but need to be noted on the approved travel expense form. At the time of booking in-state hotels, employees should provide a tax exempt form to the hotel.

The use of personal vehicles will be reimbursed at the current State mileage rate.

Expenses will be covered for the day preceding through the day following the event.

The City Manager must approve all Department Head travel in advance. All employee travel expenses must be reconciled against travel reimbursement. In order to reconcile travel expenses, a travel reconciliation form must be completed and submitted to Accounts Payable, with detailed receipts, within 14 days of return from travel.

709 - SOCIAL MEDIA USE

Social Media has changed the way in which we communicate and it continues to impact our lives on a daily basis. The City of Columbia embraces the use of Social Media as it can be a powerful tool to strengthen relationships with the public, our employees, and other important audiences. It is essential in building the City's brand for marketing, advertising and to distinguish the City of Columbia as a desired destination. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist employees in making responsible decisions about their use of social media, the City has established this policy.

This policy is meant to provide a framework for effective and acceptable use of social media. This policy applies to every employee currently employed by the City in any capacity who posts any material whether written, audio, video or otherwise on any social media outlet, website, blog, or any other medium accessible via the internet. Examples include: Facebook, Twitter, Instagram, TikTok, YouTube, LinkedIn, blogs, podcasts, etc. This policy also applies to all associates who work for the City of Columbia, or one of its subsidiaries.

Employees use social media to inform citizens; market the city as a destination and as an ideal place to live, work, and play; build professional credibility, and advocate on behalf of the City. Social media can be used by employees to build and maintain relationships and keep up with industry trends.

Employee privacy laws define the boundaries between an employee's rights to personal privacy while balancing the rights of the City to protect itself from risks or harm that may result from an employee's activities.

Employees are free to establish and maintain personal social media accounts. However, employees must ensure that their social media activities comply with the policies, standards and other applicable laws by which the City operates. When employees are on-duty, the City requires they use official time to perform official duties, and that employees use City property only to perform official duties, unless they are authorized for other purposes. This limits the extent to which employees may access and use their personal social media accounts while on duty.

Code of Conduct vs Personal Privacy

While employees have certain rights with respect to personal privacy, companies also have the right to expect a certain standard of conduct of their employees. With respect to employees and the right to freedom of speech, the meaning of the First Amendment only extends to the right to express yourself without interference or constraint by the United States government. The first amendment specifically extends to written, visual, and spoken expression posted on the internet, this does not mean that anything said online is protected by "free speech". The government can limit both the content of speech and the ability to engage in speech as long as the government has a "substantial justification".

Hate speech, advocating illegal activity, defamation, and copyright infringement are all examples of substantial justification.

In addition, the National Labor Relations Act (NLRA) protects employees in concerted activities as follow:

- Organizing co-workers,
- Complaints about working conditions and
- On-the-job protests, picketing and strikes.

Employees are protected by the NLRA if items posted are critical of the City's employment practices, subject to the posts being joined in by co-employees, or if the posts are for the purpose of urging, preparing for, or carrying out concerted complaints or actions.

Work-related complaints must be related to some type of group action, or "seek to initiate, induce or prepare for group action, or bring a group complaint to the attention of management." Activity is not protected if employees say things about their employer that are "egregiously offensive or knowingly and deliberately false", or if employees publicly disparage their employer's products or services without relating their complaints to any labor controversy.

Accounts, Passwords and Employee Privacy

Social media means an electronic service or account, or electronic content, including, but not limited to, videos, still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts, or internet website profiles or locations. Employees are subject to the following guidelines:

- Disclose a username or password for the purpose of accessing personal social media.
- Access personal social media in the presence of the employer.
- Divulge any personal social media.
- Nothing shall affect the City's existing rights and obligations to request an employee to divulge personal social media reasonably believed to be relevant to an investigation of allegations of employee misconduct or employee violation of applicable laws and regulations, provided that the social media is used solely for purposes of that investigation or a related proceeding.
- Nothing precludes the City from requiring or requesting an employee to disclose a username, password, or other method for the purpose of accessing a City issued electronic device.
- The City shall not discharge, discipline, threaten to discharge or discipline, or otherwise retaliate against an employee or applicant for not complying with a request or demand by the City that violates protected activities. However, The City is not prohibited from terminating or otherwise taking an adverse action against an employee or applicant if otherwise permitted by law.
- Candidates and employees who are expressing personal opinions should never represent yourself as a spokesperson for the City.

- If the City is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the City of Columbia, fellow associates, members, customers, suppliers, or people working on behalf of the City of Columbia.
- Employees who publish a blog or post online related to the work they do or subjects associated with the City, must make it clear that you are not speaking on behalf of the City of Columbia.
- It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the City of Columbia."

Monitoring Employees' Social Media Use

In an effort to reduce risks of employees using social media at work for concerns such as, data or confidentiality breaches, social engineering and cyberattacks, the City of Columbia has granted limited access to employees unless there is a business reason for them to have access to social media and internet sites.

This policy is written to protect an employee's rights to privacy while balancing the City's need to monitor employee activities to protect the City from harm. The City of Columbia utilizes the following types of monitoring:

- Intentional Monitoring of Specific Networks: Allow and monitor employees' use of "approved" social networks while monitoring employees' personal and work-related use of social media;
- "Unofficial" Monitoring: Department Heads, and direct supervisors may connect with employees on LinkedIn or Facebook, "outside the office". This can be construed as "monitoring" their teams' personal social media activities. Department Heads and supervisors must make sure employees are aware of and consent to any monitoring that is taking place of their personal social media profiles. Intentional monitoring requires consent from employees, approvals of specific social networks for use by employees, and requires reporting to Human Resources to request an exception.
- The National Labor Relations Board protects the rights of employees to engage in certain "collective activities" (terms and conditions of employment) related to labor conditions. An employee's comments on social media are generally not protected if they are mere gripes not made in relation to group activity among employees.

Post only Appropriate and Respectful Content

- Always be fair and courteous to fellow employees, citizens, suppliers, and people who work on behalf of the City;
- Keep in mind that employees are more likely to resolve work-related complaints by speaking directly with co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet.
- If an employee decides to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating, that disparage citizens, employees, members, associates, or suppliers, or that might constitute harassment or bullying.

- Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or any other status protected by law or City policy.
- Employees should make sure they are honest and accurate when posting information or news, and if a mistake is made, correct it quickly.
- Be open about any previous posts that have been altered.
- Remember that the internet archives almost everything; therefore, even deleted postings can be searched.
- Never post any information or rumors that you know to be false about the City, fellow employees, citizens, suppliers, or people working on behalf of the City.
- Maintain the confidentiality of the City's private or confidential information. Examples may include information regarding the development of an area, proposed industry, products, know-how, and technology.
- Do not post internal reports, policies, procedures, or other internal business-related confidential communications.
- Do not create a link from your blog, website, or other social networking site to a City of Columbia website.
- The City prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation.
- Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Employees should not speak to the media on the City's behalf without authorization from the City Manager's Office. All media inquiries should be directed to them.

A social media site is subject to Tennessee's Public Records Act (T.C.A. § 10-7-101, *et seq.*) and Open Meetings Act (T.C.A. § 8-44-101, *et seq.*) and no social media site shall be used to circumvent or otherwise be in violation of these laws. All information posted on a social media site shall be a public record and subject to public inspection. All lawful records requests for information contained on a social media site shall be fulfilled by the City Manager's Office and any employee whose assistance is necessitated. Every social media site shall contain a clear and conspicuous statement referencing the aforementioned state laws. All official postings on a social media site shall be preserved in accordance with the City's records retention schedule.

SECTION 800 SUBSTANCE ABUSE POLICY

801 - SUBSTANCE ABUSE POLICY

The City of Columbia is committed to providing a safe work environment and to fostering the well-being and health of its employees. Employees of the City must foster the public trust by earning and preserving a reputation for integrity, honesty, and responsibility. That commitment is jeopardized when any City employee illegally uses drugs on or off the job, comes to work under their influence, possesses, distributes or sells drugs in the workplace, or abuses alcohol on the job. Therefore, the City of Columbia has established the following policy, pursuant to the Tennessee Drug Free Workplace Act.

The word “abuse” means the use of illegal drugs, the use of prescription drugs without a legal prescription, the use of prescription drugs other than in accordance with a legal prescription, the use of non-prescription drugs other than for the manufacturer’s indicated symptoms and in accordance with the manufacturer’s recommended dosages unless otherwise directed by a licensed health care provider, the use of alcohol while acting within the scope and in the course of employment for the City, and/or being under the influence of alcohol while acting within the scope and in the course of employment for the City.

To provide a safe, healthy, productive, and drug-free working environment for its employees to properly conduct the public business, this policy is intended to comply with: (1) the Drug-Free Workplace Act of 1988, which ensures employees the right to work in an alcohol and drug-free environment and to work with persons free from the effects of alcohol and drugs; (2) Federal Highway Administration (FHWA) rules, which require drug and alcohol testing for persons required to have a commercial driver’s license (CDL) in order to perform functions of their City job; and (3) the Omnibus Transportation Employee Testing Act of 1991, which requires alcohol and drug testing of safety-sensitive employees and related U.S. Department of Transportation (DOT) rules which specify procedures for urine drug testing and breath alcohol testing, and the Tennessee Drug Control Act of 1989 as amended to date or as amended in the future.

It is the policy of the City that the abuse of drugs by its employees, and impairment in the workplace due to the abuse of drugs and/or alcohol, are prohibited and will not be tolerated. Engaging in prohibited and/or illegal conduct may lead to dismissal. Prohibited and/or illegal conduct includes but is not limited to:

- Being on duty or performing work in or on City property while using or under the influence of any one or more of the following: illegal drugs, prescription drugs without a legal prescription, prescription drugs other than in accordance with a legal prescription, non-prescription drugs other than for the manufacturer’s indicated symptoms and in accordance with the manufacturer’s recommended dosages unless otherwise directed by a licensed health care provider, and/or alcohol;
- Engaging in the manufacture, sale, distribution, use, or possession of alcohol or illegal drugs or prescription drugs without a legal prescription at any time, whether or not on duty or while in or on City property;

- Refusing or failing a drug and/or alcohol test administered pursuant to this substance abuse policy;
- Providing an adulterated, altered, or substituted specimen for testing;
- Use of alcohol within four hours prior to reporting for duty on schedule or use of alcohol while on-call for duty; and
- Use of illegal drugs or prescription drugs without a valid prescription at any time within eight hours following an accident/incident if the employee's involvement has not been ruled out as a contributing factor in the accident/incident or until the employee has completed drug and/or alcohol testing procedures.

This substance abuse policy does not prohibit the appropriate use of either legally prescribed or non-prescription or over the counter medication that does not adversely affect the mental, physical, or emotional ability of the employee to safely and efficiently perform his or her job-related duties. It is the employee's responsibility to inform the proper supervisory personnel of his or her use of any legally prescribed or over the counter non-prescription medication that may adversely affect the mental, physical, or emotional ability of the employee to safely and efficiently perform his or her job-related duties before the employee goes on duty or performs any work for the City.

Employees who are not in an official on-call status and who are called in to work outside their normal duty hours to perform emergency or otherwise unscheduled work are required to report any recent consumption of alcohol to the supervisor making the work request and, if any alcohol has been recently consumed, are to decline the request to report to work. The employee in this instance shall not be disciplined for failure to report to work. Employees who have been notified of the likelihood of being called back to perform emergency work, shall refrain from consuming alcohol.

In order to educate employees about the dangers of drug and/or alcohol abuse, the City shall sponsor a substance abuse policy information and education program for all employees and supervisors. Information will be provided on: (1) the signs and symptoms of drug and/or alcohol abuse; (2) the effects of drug and/or alcohol abuse on an individual's health, work, and personal life; (3) the City's policy regarding drugs and/or alcohol; and (4) the availability of counseling. The Human Resources Director has been designated as the City official responsible for so informing and educating the City workforce regarding this substance abuse policy and its implementation.

Scope

This substance abuse policy which is based on the FMCSA (Federal Motor Carrier Safety Administration) standards applies to all employees of the City, except that the random drug and alcohol testing referenced below shall be required only of certain categories of employees identified and listed below. Post-offer/pre-employment drug abuse testing policies and procedures of this substance abuse policy apply to applicants who have been given a conditional offer of employment from the City.

Prohibited Drugs

All drug abuse test results will be reported to the medical review officer (MRO). If positive results are verified by the MRO, they will be reported to the Human Resources Director. The following is a list of drugs for which tests will be routinely conducted:

- Marijuana metabolites,
- Phencyclidine (PCP),
- Amphetamines (includes Methamphetamines, MDA),
- Codeine/Morphine
- 6-AM (Heroin)
- Hydrocodone/Hydromorphone
- Oxycodone/Oxymorphone
- Alcohol

Drug-Abuse Testing Procedures

The City may test for any additional substances listed under the Tennessee Drug Control Act of 1989 as amended to date or as amended in the future. Drug-abuse testing will be accomplished as non-intrusively as possible. Affected employees will be taken by a supervisor or designated personnel of the City to a drug test collection facility selected by the City where a urine sample will be taken from the employee in privacy. The urine sample will be immediately sealed by personnel overseeing the specimen collection process after first being examined by these personnel for signs of alteration, adulteration, or substitution. The sample will be placed in a secure mailing container. The employee will be asked to complete a chain-of-custody form to accompany the sample to a laboratory selected by the City to perform the analysis on collected urine samples.

Compliance with Substance Abuse Policy

Compliance with this substance abuse policy is a condition of employment. The failure or refusal by either an applicant for employment or a current employee to cooperate fully or the failure or refusal to submit to any test or any procedure under this policy in a timely manner, is cause for the City to rescind a conditional offer for employment or for the City to discipline a current employee. The submission by either such person of a urine specimen or sample that is not his or her own or is adulterated is also cause to rescind a conditional offer to hire or for disciplinary action up to and including dismissal.

Any employee convicted of violating a criminal drug or alcohol statute shall inform the head of his or her department and Human Resources of such conviction (including pleas of guilty and *nolo contendere*) within five calendar days of the conviction occurring. Failure to so inform the City subjects the employee to disciplinary action up to and including dismissal for the first offense.

Consequences of a Verified Positive Drug Test Result, A Confirmed Positive Alcohol Test Result, and/or Refusal to Test

Job applicants will be denied employment with the City and any conditional offer of employment will be rescinded if their pre-employment drug test results have been verified by the City's Medical Review Officer (MRO) as positive or if they refuse to submit to a pre-employment test for drug abuse.

If a current employee fails a test for alcohol (0.04 BAL or greater), or if a current employee's positive drug test result has been verified by the City's MRO, or if a current employee refuses to test for drugs and/or alcohol, then that employee must be referred to the substance abuse professional of the City. Prior to returning to work for the City, such an employee must be assessed by the City's SAP, must, to the satisfaction of the SAP, comply or be in the process of complying with all recommendations of the SAP, and must submit to return-to-duty substance abuse testing that produces a verified negative result.

If a current employee tests positive for alcohol (0.02 BAL or greater), or if a current employee's positive drug test result has been verified by the City's MRO, or if a current employee refuses to test for drugs and/or alcohol, then that employee is subject to immediate removal from any safety-sensitive function and will be subject to disciplinary action up to and including dismissal. Factors to be considered in determining the appropriate disciplinary response include: the employee's work history, length of employment, current work assignment, current job performance, and existence of past disciplinary actions. The City may choose to allow employees to participate in an education and/or treatment program approved by the City's Employee Assistance Program as an alternative to or in addition to disciplinary action. If such a program is offered and accepted by the employee, then the employee must satisfactorily participate in and complete the program as a condition of continued employment. The employee will be required to authorize the Human Resource Director to obtain information regarding the treatment and progress of the employee as may be necessary.

Drug and Alcohol Abuse Testing

An applicant or employee must carry and present a current and recent photo ID to appropriate personnel during drug abuse testing. Failure to present a photo ID is equivalent to refusing to take the drug abuse test. Employees and applicants may be required to submit to drug abuse testing under the following separate conditions:

Post Offer/Pre-Employment Testing

All applicants who have received a conditional offer of employment with the City must undergo a drug test that produces a verified negative drug screen result before beginning work with the City.

Post-Accident/Post-Incident Testing

Immediately following any workplace accident/incident determined by the department head:

- to involve collision with any other vehicle.
- to involve behavior indicating impairment that could be the result of drug use or alcohol use; or
- which resulted in significant property damage; or
- in personal injury requiring treatment at a medical facility; or
- receives a traffic citation whether involved in a vehicle accident or not; or
- involves a member(s) of the public including vehicle accidents; the employee is required to undergo post accident/post incident drug and alcohol testing.

In cases where impairment is suspected, the supervisor will accompany the employee to the lab. The employee will remain **off the job pending a negative test result**.

Post-accident/post-incident drug and alcohol testing shall be carried out as soon as possible but within 32 hours following the accident/incident.

Any testing for additional substances listed under the Tennessee Drug Control Act of 1989 as amended shall be performed at the urinary cutoff level that is normally used for those specific substances by the laboratory selected.

Post-Accident/Post-Incident Testing For Ambulatory Employees

Following all workplace accidents/incidents where drug testing is to be performed, unless otherwise specified by the department head, affected employees who are ambulatory will be taken by a supervisor or designated personnel of the City to the designated urine specimen collection site as soon as possible but within 32 hours following the accident/incident.

No employee shall delay his or her appearance at the designated collection site(s) for post-accident/post-incident testing. Any unreasonable delay in providing specimens for drug and alcohol testing shall be considered a refusal to cooperate with the substance abuse program of the City and shall result in disciplinary action up to and including dismissal.

If the City receives a verified positive drug test result, or a verified adulterated or substituted drug or alcohol result, the employee will immediately be removed from performing their job duties.

If the City receives an alcohol test result of 0.04 or higher, the employee will be immediately removed from performing their job duties. If the alcohol test result is 0.02—0.039, the employee will be temporarily removed from performing safety-sensitive functions, as provided in applicable DOT agency regulations.

When an employee has a verified positive, adulterated, or substituted test result, or has otherwise violated a DOT agency drug and alcohol regulation, they will not be permitted to perform their job functions until or unless the employee successfully completes the return-to-duty process.

If the City receives a drug test result indicating that the employee's urine specimen test was cancelled because it was invalid, a second collection must take place under direct observation.

Post-Accident/Post-Incident Testing For Non-Ambulatory Employees

An affected employee who is seriously injured, non-ambulatory, and/or under professional medical care following a significant accident/incident shall consent to the obtaining of

specimens for drug testing by qualified, licensed attending medical personnel and consent to specimen testing. Consent shall also be given for the attending medical personnel and/or medical facility (including hospitals) to release to the MRO of the City appropriate and necessary information or records that would indicate only whether specified prohibited drugs (and what amounts) were found in the employee's body. Consent shall be granted by each employee at the implementation date of the substance abuse policy of the City or upon hiring following the implementation date.

Post-accident/post-incident urinary consent and testing may be impossible for unconscious, seriously injured, or hospitalized employees. If this is the case, certified or licensed attending medical personnel shall take and have analyzed appropriate specimens to determine if drugs were present in the employee's body. Only an accepted method for collecting specimens will be used. Any failure to perform post-accident/post-incident testing within 32 hours must be fully documented by the attending medical personnel.

Reasonable Suspicion Testing

Drug and alcohol abuse testing is required for each employee whenever there is reasonable suspicion to believe the employee is using or is under the influence. That employee must submit to a drug or alcohol abuse test that produces a verified negative drug screen result prior to continuing to work for the City.

The decision to test for reasonable suspicion must be based on a reasonable and articulate belief that the employee is using or is under the influence of drugs or alcohol. This belief should be based on recent, physical, behavioral, or performance indicators of possible drug or alcohol use. Once a supervisor has received drug detection training that complies with DOT regulations, he/she must make the decision to test and must observe the employee's suspicious behavior, and shall take or may designate someone else to take the employee to the testing site.

Supervisory personnel of the City making a determination to subject an employee to drug or alcohol testing based on reasonable suspicion shall document their specific reasons and observations in writing and discuss the situation with the Personnel Director prior to the testing being performed.

Random Testing

The following employees of the City are subject to random drug and alcohol testing:

- those employees required to have a commercial driver's license (CDL) in order to perform any functions of their City job;
- suppression personnel of the Fire Department;
- sworn personnel of the Police Department; and
- employees who are otherwise considered by the Human Resources Director to work in a safety-sensitive position.

The City will perform random testing on fire suppression, sworn police and other safety sensitive personnel at the same percentage as required by the Department of Transportation for CDL testing.

Random drug abuse testing dates will be unannounced with unpredictable frequency. Some employees may be tested more than once each year while others may not be tested at all, depending upon the random selection.

If an employee is unavailable (e.g., on vacation leave, sick leave, out of town, work-related causes, etc.) to produce a specimen on the date random drug abuse testing occurs, the City may omit that employee from that random testing or await the employee's return to work.

Return to Duty and Follow-up Testing

Prior to returning to work for the City, any employee who has violated the prohibited drug and alcohol conduct standards:

- must submit to a return-to-duty drug or alcohol abuse test that produces a verified negative result;
- must be referred to the substance abuse professional (SAP) of the City;
- must be assessed by the SAP of the City; and
- must, to the satisfaction of the SAP, comply or be in the process of complying with all recommendations of the SAP.

Follow-up drug and alcohol abuse tests will be unannounced, and at least six drug and alcohol abuse tests will be conducted in the first twelve (12) months after such an employee returns to duty. Follow-up drug and alcohol abuse testing may be extended for up to 60 months following return to duty.

Drug-Abuse Testing: Laboratory Standards and Procedures

All collected urine samples will be sent to a laboratory that is certified and monitored by the Federal Department of Health and Human Services (DHHS).

Each urine specimen is divided into two bottles labeled as a "primary" and a "split" specimen. Both bottles are sent to a laboratory. Only the primary specimen is opened and used for the urinalysis. The split specimen bottle remains sealed and is stored at the laboratory.

If the analysis of the primary specimen confirms the presence of drugs, the employee has 72 hours to request sending the split specimen to another Federal Department of Health and Human Services (DHHS) certified laboratory for analysis. The employee will be required to pay for his or her split specimen test(s).

Neither the City, the laboratory, nor the MRO shall disclose any drug test results to any other person except under written authorization from the affected applicant/employee, unless such results are necessary in the process of resolution of accident/incident investigations, requested by court order, or required to be released to parties (i.e., DOT,

the Tennessee Department of Labor, etc.) having a legitimate right-to-know as determined by the City Attorney.

The City will not engage in “stand-down,” the practice of temporarily removing an employee from the performance of duty unless an initial report from a laboratory indicates a positive test for a drug or drug metabolite, an adulterated test, or a substituted test is submitted. In addition for alcohol, a result of 0.04 or higher will require “stand down”. In this situation an employee will be placed on un-paid administrative leave.

Voluntary Disclosure of Drug and/or Alcohol Use

In the event that an employee is either dependent upon or an abuser of drugs and/or alcohol and sincerely wishes to seek professional medical care, then that employee should voluntarily discuss his or her problem with the respective department head or Human Resources in private. Such voluntary desire for help with a substance abuse problem will be accommodated by the City. If substance abuse treatment is required, the employee will be removed from duty and put on leave pending completion of the treatment. Voluntary disclosure must occur before an employee is notified of or otherwise becomes subject to a pending drug and/or alcohol test.

Affected employees of the City are entitled to up to 30 consecutive calendar days for initial substance abuse treatment. However, the employee must use all vacation, sick, and compensatory leave available. In the event accumulated vacation leave, sick leave, and compensatory leave is insufficient to provide the medically prescribed and needed treatment for up to a maximum of 30 consecutive calendar days, the employee will be provided leave without pay for the difference between the amount of accumulated leave and the number of days prescribed and needed for treatment up to the maximum 30-day treatment period. Any leave used for this purpose shall be considered family and medical leave pursuant to the Family and Medical Leave Act.

Prior to any return-to-duty consideration of an employee following voluntary substance abuse treatment, the employee shall provide the Human Resources Director with a written statement from the substance abuse professional of the City that indicates satisfactory compliance, or satisfactory progress toward compliance, with the recommendations of the SAP. The SAP may suggest conditions of reinstatement of the employee that may include after-care and return-to-duty requirements. Random testing may be required for up to sixty months after the employee has returned to work. These conditions of reinstatement must be met by the employee. Failure of the employee to complete treatment or follow after-care conditions, or subsequent failure of any drug or alcohol test under this policy will result in dismissal.

Modification of Policy

This statement of policy may be revised by the City at any time to comply with applicable Federal and State regulations that may be implemented, to comply with judicial rulings, or to meet any changes in the work environment or changes in the drug and alcohol testing policy of the City.

SECTION 900

EMPLOYEE CONDUCT

901 - PROFESSIONAL CONDUCT

Employees of the City of Columbia shall at all times conduct themselves in a manner which does not bring discredit to themselves or the City. It is the policy of the City to establish and maintain the highest standards of conduct and appearance.

Employees shall be courteous, civil, and respectful to all persons and shall make every effort to meet the needs of citizens requesting assistance. Employees shall not use abusive, indecent or profane language or gestures in the workplace, in the performance of their duties or in the presence of a member of the public. All employees shall perform their duties in a manner that is fair, impartial, and without prejudice toward any person or group. Employees shall not argue unnecessarily with any person or otherwise show a lack of self-control. Employees shall not ridicule, or defame any employee, elected official or any other person or any agency of the City of Columbia.

Any employee shall, without undue delay, report to their supervisor any custodial arrest or criminal charge taken against the employee. Such report shall include information relating to the alleged offense, date, time, location, and a copy of any relevant documents.

Ethical Standards

To avoid becoming involved or implicated in a conflict of interest or impropriety or an appearance of conflict of interest or impropriety, employees shall not use his/her office or confidential information received in an official capacity for any private purpose. Examples include: commercial purposes, financial gain, present or future employment or gain for himself or herself, a member of his or her immediate family, or business with which he or she is associated.

902 - ETHICS AND CONFLICT OF INTEREST

This policy applies to all full-time and part-time, elected and appointed officials, and employees. Officials and employees are required to disclose prior to voting or recuse themselves if they have any personal interest that may affect or would lead a reasonable person to infer that it would affect a vote.

Acceptance of Gratuities, Gifts, and Business Courtesies

The City of Columbia prohibits the acceptance of any item of value (remuneration) made directly or indirectly, in cash or in kind, that may induce or appear to induce the purchase or referral of any kind of goods, services, or items. Consequently, the acceptance of any gifts or business courtesies from vendors or others with whom we presently or potentially conduct business that would violate this is strictly prohibited.

Receiving Gifts

In all instances, the following criteria must be met in order to accept a gift:

- Acceptance of said gift must never be made conditioned on or related in any way to pre-existing or future business relationships with the individual, business or industry; and
- Promotional items such as pens, notepads, mugs or similar items may be accepted from a vendor or business associate as long as they are nominal in value (\$10 or less per instance and no more than \$50 in the aggregate annually); and
- Cash or cash equivalents such as gift certificates, stocks, bonds, etc. from outside entities or non-employed individuals are prohibited.

It is acceptable for a department to accept a modest perishable gift such as a floral arrangement, box of cookies, candy or similar food items to be shared by staff members.

Social Events and Business Courtesies

There may be times when it is permissible to accept a meal or other invitation offered by a current or potential business associate. However, the purpose must never be to induce or influence a business transaction. As a general rule, the cost must be reasonable. If the occasion appears extravagant or if the invitation could be perceived as intended to influence a business decision involving the City, attendance at such an occasion is prohibited.

To be acceptable, the occasion must conform to the following guidelines:

- The cost and location must be reasonable and not extravagant; and
- Paid expenses for any travel costs or overnight lodging for the individual or his/her family are prohibited; and
- The invitation is for an ordinary business meal or gathering during which the host is present and business is conducted; and
- Acceptance of such an invitation from an individual or entity is rare unless expenses are shared by both parties; and

- Business courtesies of personal benefit, such as a pair of tickets or invitations to sporting events, theatrical events, or golf outings may not be accepted.

Use of Information

An official or employee may not disclose any information obtained in his/her official capacity or position of employment that is made confidential under State or Federal law except as authorized by law. In addition, officials and employees of the City cannot use or disclose information obtained in their official capacity or position of employment that would result in financial gain for themselves or any other person or entity.

Except for the receipt of such compensation as may be lawfully provided for the performance of City duties, and as noted below, no City official or employee shall be privately interested in or profit, directly or indirectly, from business dealings with, of or by the City.

No City official or employee shall enter into a contract with the City or perform any work or function under any contract with the City if he or she has a direct or indirect financial interest in the contract, unless all of the following conditions are met:

- the contract is awarded through a process that complies with the City's purchasing requirements;
- the service performed must not be any service which the employee might provide in the normal scope of their regular duties for the City;
- the service performed must not present a conflict of interest nor a conflict of time with the employee's regular duties for the City; and
- the City Manager makes a formal finding that it is in the best financial interest of the City to do so after full disclosure on the part of the employee of his or her direct or indirect financial interest in the contract, and the City Manager's finding and the employee's full financial disclosure are recorded on the minutes of the City Council in open session.

903 - PERSONAL HYGIENE AND DRESS CODE

Employees shall maintain personal hygiene so as not to affect the health and safety of others or cause any disruption or distraction in the workplace. Employees shall not wear perfume, cologne, aftershave, etc. to an extent that is offensive or distracting, and must be mindful of others who may have health concerns, such as allergies and/or low tolerances, when exposed to fragrances.

Although the City has no formal dress code for non-uniformed employees, such employees are to wear clothing suitable to the type of work done and to the environment in which the employee works. Employees and their clothing should be neat, clean, and in good taste, and should not constitute a safety hazard. Employees are to consult with their supervisor or department head for guidance on and interpretation of this policy. Items of casual clothing that, in the opinion of the department head, are inappropriate for a work environment or disruptive to other employees will not be permitted. Employees arriving at work dressed inappropriately will be sent home to change, with no pay for time so spent, unless vacation leave is used.

TATTOOS, BODY ART AND BODY MODIFICATION

The purpose of the tattoo policy is to promote the uniformity of appearance, to maintain neutrality and the perception of neutrality amongst members of the public, to prevent discrimination or the perception of discrimination amongst members of the public, to encourage public confidence in City employees. Therefore, tattoos cannot be visible on an employee's face, neck or hands.

Employees of the City of Columbia are prohibited from publically displaying offensive body art, tattoos, brands, intentional scarring and/or mutilations. Examples include, but are not limited to:

- **Extremist tattoos** - These are tattoos or brands "affiliated with, depicting, or symbolizing extremist philosophies, organizations, or activities." This would include tattoos that: feature philosophies, groups or activities that promote racial or gender intolerance; encourage discrimination based on numerous factors, including race, gender and religion; advocate violence or "other unlawful means of depriving individual rights under the U.S. Constitution, and Federal or State law."
- **Indecent tattoos** - These include tattoos or brands that are "grossly offensive to modesty, decency, propriety, or professionalism."
- **Sexist tattoos** - These include tattoos and brands that advocate a philosophy that degrades or demeans a person based on gender.
- **Racist tattoos.** Tattoos or brands that "advocate a philosophy that degrades or demeans a person based on race, ethnicity, or national origin".
- **Body Modification** - Extreme body modification, such as "tongue splitting" and branding; as well as permanent markings that are difficult to reverse.

Some departments may have more restrictive policies regarding tattoos, body art or modification based on the work performed. Check with the Department Head to get further clarification.

904 - ATTENDANCE

Absenteeism is a disruptive and costly problem in the workplace. Therefore, being at work each day and on time is important. The City expects all employees to display responsibility for their attendance and promptness.

It is the employee's responsibility to notify his or her supervisor as far in advance as possible when any absence from work is necessary. An employee absent without notice for three (3) consecutive days will be considered as having abandoned their position, unless justifiable reasons existed that prevented reporting the absence. After the third day of absence the supervisor will complete a personnel action form to terminate employment.

TARDINESS

Employees are to report to the work area on time. An employee is considered tardy if not at the workstation ready to perform work at the designated time for the shift to begin. If an emergency keeps an employee from reporting on time, he or she should contact his or her department head or supervisor immediately.

905 - EMPLOYEE RECORDS

Collection, Retention, and Use of Personal Information

The Human Resources Department shall serve as the official and central depository of all employee records of the City and shall maintain a separate file of each employee's employment records. Medical information about each employee shall be kept confidentially and separate from the employee HR files.

Each department head may maintain a separate employee file on each employee in his or her charge, including copies of performance evaluations (performance evaluation originals are to be placed in the Human Resources Department's HR file for that employee) plus attendance records, notes, memos, letters, or other information related to an employee's job performance. A department head's employee file shall be transferred to the Human Resources Department file when that employee separates from the City.

Access to Employee Records

The Human Resources Director will control, pursuant to law, access to the Human Resources Department's employee files. Department heads and supervisors may not divulge the contents of their respective employee files except to their superiors, on request, or to those who have a legitimate need to know the information, and then only pursuant to official procedure.

An employee may review any of his/her own files for himself or herself at any time during normal business hours of the City, but only in the presence of an authorized representative of the Human Resources Department. Employees may take notes or may request the Human Resources Department representative to copy any of the file's contents.

Any question about the information accuracy must be referred to the employee's department head or to the Human Resources Director. If the employee disagrees with any information found therein, the employee may place a written disagreement, which will be attached to the specific document, in the files.

Any external request for information from any employee files maintained by the City must be referred to the Human Resources Department. Only the Human Resources Director, the employee's department head and the City Manager are authorized to disclose information about employees to outside inquirers, and then only in compliance with the redacting provisions of T.C.A. § 10-7-504.

The City will disclose employee information to prospective employers of current or former employees as necessary. In most cases, such disclosures will be limited to confirming the dates of employment, title or position, job location, and wage and salary.

906 - PRIVACY AND WORKPLACE SEARCHES

The City of Columbia will balance an employee's expectation of privacy against the City's need for supervision, control, and the efficient operation of the workplace when performing a search.

All City property is subject to inspection and periodic searches by authorized personnel and officials at any time without notice. Employee's personal property kept at the workplace, is subject to inspection. There should be no expectation of privacy in or on such property. Property includes, but is not limited to, computers, phones, vehicles, desks, containers, files, and lockers.

Locked property assigned to individual employees is also subject to such inspection. Employees may be requested to open such property for periodic housekeeping, inspections, or other occasions when it is appropriate and/or necessary, as there is no expectation of privacy. Any suspicious activity around such property, as well as break-ins and thefts, should be reported to the employee's supervisor or department head as soon as possible. The City will not be responsible for loss or damage to any personal property.

907 – SUGGESTIONS FOR IMPROVEMENT

The City constantly seeks to improve its operating procedures and encourages its employees to make suggestions toward this end. Suggestions are welcome on such subjects as workplace safety, safety in interior and exterior areas controlled and/or maintained by the City that are accessible by and to the general public, and methods to improve operating efficiencies by saving labor, money, energy, time, and material. Employees may submit suggestions through their representative to the Workplace Safety Committee or Action Team.

908 – PROHIBITION OF SOLICITATIONS AND PEDDLING

Solicitations for donations or contributions and peddling of goods or services among employees in City work areas or during City work time, other than as authorized by the department head or City Manager is strictly prohibited. This prohibition applies both to employees and outsiders. Solicitation of gifts (for such occasions as resignations, retirements, weddings, and births) and the City's participation in the annual United Way campaign are considered authorized. Designated employee lunchrooms or rest areas are not considered work areas for the purposes of this policy. No pressure of any kind is to be placed on any employee to make any donations, contributions or purchases.

909 - GAMBLING

The City takes the position that gambling among its employees can lead to bad morale, hard feelings, and financial hardships. Therefore, gambling is prohibited on City property and/or during City-paid work time and will be a cause for discipline.

910 - HARASSMENT POLICY

The City of Columbia strictly forbids harassment of any employee, applicant for employment, vendor, contractor or volunteer, on the basis of an individual's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, sexual orientation, gender identity or expression, genetic information, or any other characteristic protected by law. The City has adopted this policy on harassment to try to prevent harassment from occurring in the workplace, and will take immediate, positive steps to stop such harassment when it occurs.

In addition, the City will not tolerate any form of retaliation directed against an employee or third party who either complains about harassment or who participates in any investigation concerning harassment.

This policy applies to all officers and employees of the City, including but not limited to all elected officials; all officers and appointees; all members of boards, commissions and committees; the City Manager and all categories of other employees identified and described in these personnel policies and procedures; and any other individuals while they are working under contract or other agreement, expressed or implied, for the City.

Prohibited Actions and Behaviors

Any unwelcome verbal, written or physical conduct that either denigrates or shows hostility or aversion towards a person.

Sexual Harassment

Any unwelcome sexual advance, request for sexual favors, or verbal, written or physical conduct of a sexual nature by a manager, supervisor, co-worker, or non-employee (third party who has business interactions with the City).

The following actions and behaviors constitute sexual harassment and, as such, are an unlawful employment practice and are absolutely prohibited by the City when they affect employment decisions, create a hostile job environment, cause distractions, or unreasonably interfere with work performance:

- sexual advances or requests for sexual favors;
- verbal or physical conduct of a sexual nature in the form of pinching, grabbing, patting, or propositioning;
- explicit or implied job threats or promises in return for submission to sexual favors;
- sex-oriented comments on appearance;
- sex-oriented stories, jokes or other communication, whether spoken or written, verbal or non-verbal;
- displaying sexually explicit or pornographic material, no matter how the material is displayed; and/or
- sexual assault.

Sexual harassment includes conduct directed by men toward women, conduct directed by men toward men, conduct directed by women toward men, and conduct directed by women toward women.

Making Harassment Complaints

Employees and third parties should report incidents of workplace harassment as soon as possible after the incident occurs.

Employees and applicants for employment seeking to remedy workplace harassment may file a complaint with the Human Resources Director, their supervisor(s), or the department head. **Under no circumstances shall the individual alleging harassment be required to file a complaint with the alleged harasser.**

Employees and third parties who make complaints of workplace harassment, or provide information related to such complaints, will be protected against retaliation. If retaliation occurs, the employee(s) should report the retaliation through the harassment complaint procedure.

An employee who believes he or she is or has been subjected to harassment should immediately contact a City official with whom the employee feels the most comfortable.

At the time of making a complaint, the employee should be prepared to provide the following information in writing, with the assistance if necessary of the person to whom the complaint is being made:

- his or her own name, department, and position title;
- the name of the person or people allegedly committing the harassment, including their title(s), if known;
- the specific nature of the alleged harassment, when and where it took place, and how long it has gone on;
- any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against the employee that may be related to the alleged harassment, or any other threats made against the employee that may be related to the alleged harassment;
- any witnesses to the alleged harassment; and
- whether the employee has previously reported the alleged harassment and, if so, when and to whom.

Reporting and Investigating Harassment Complaints

The Human Resources Director is the person the City designates as the investigator of harassment complaints against employees. In the event the harassment complaint is against the Human Resources Director, the investigator shall be the City Attorney.

Throughout the harassment investigation, whenever a specific number of City business days are allowed to respond to a complaint of harassment or to an investigation report on a complaint of harassment, then the “City business days” in question shall be those worked days normal to the person responsible for the next action. For these purposes,

“City business days” do not include days on which that person is either on authorized leave or out of town on City business.

When an allegation of harassment is made by any employee, the person to whom the complaint is made shall immediately forward the information to the investigator.

The investigator then shall:

- conduct a thorough investigation of the complaint, including at a minimum interviewing the person complaining of harassment, the person against whom the complaint of –harassment was made, any witnesses to the alleged harassment, any other persons who may have information pertinent to the allegation(s) and make and keep a written record of the investigation, including notes on:
- responses made to the investigator by the person complaining of harassment;
- responses made to the investigator by the person against whom the complaint of –harassment was made;
- responses made to the investigator by witnesses interviewed during the investigation;
- responses made to the investigator by any other person contacted by the investigator in connection with the investigation;
- within five (5) City business days of receiving the complaint, prepare and present the findings of the investigation to the City Manager (or, if the complaint is against the City Manager, then to the City Attorney) in a report, which will include:
- the original complaint and any additional written statement of the person complaining of harassment,
- any written statement(s) of the person against whom the complaint of harassment was made,
- any written statements of witnesses,
- any written statements of any other person contacted by the investigator in connection with the investigation, and
- maintain all of the investigator’s notes connected to the investigation.

Action on Harassment Complaints

Upon receiving an investigation report of a harassment complaint, the City Attorney shall immediately review the report. If the City Attorney determines that the report is not complete in some respect, he or she may question the person complaining of harassment, the person against whom the complaint has been made, witnesses to the conduct in question, or any other person who may have knowledge about the alleged harassment.

Based upon the report and his or her own investigation (if a separate investigation is made), the Human Resources Director and City Attorney shall, within five (5) City business days of receiving the investigation report, determine whether the conduct in question constitutes harassment. In making that determination, the Human Resources Director and City Attorney shall look at the record as a whole and at the totality of circumstances, including the nature of the conduct, the context in which the alleged

actions occurred, and the behavior of the person complaining. Determination of harassment will be determined on a case-by-case basis.

If it is determined that the harassment complaint is founded, immediate and appropriate disciplinary action will be taken against the offending employee, consistent with his or her authority under the Charter, Ordinances, Resolutions, and these policies and procedures governing his or her authority to discipline employees.

In the event the complaint of harassment is against the City Manager, then the City Attorney shall review the report of the investigation, and shall advise the City Council on what if any disciplinary action should be taken against the City Manager.

The disciplinary action shall be consistent with the nature and severity of the offense, the employee's rank, and any other factors relevant to the fair and efficient administration of the City. This includes, but is not limited to, the effect of the offense on employee morale, public perception of the offense, and the impact on the City. The disciplinary action may include demotion, suspension, dismissal, warning, or reprimand. Determining the level of disciplinary action shall be made on a case-by-case basis. A written record shall be kept of imposed disciplinary actions, including reprimands.

In all events, an employee against whom a complaint of harassment has been made shall be warned not to retaliate in any way against the person making the complaint, witnesses, or any other person connected with the investigation. Any employee who engages in conduct determined to be harassment, or who encourages such conduct by others, shall be subject to corrective action which may include discharge from employment.

Managers and/or supervisors who allow workplace harassment to continue or fail to take appropriate corrective action upon becoming aware of the harassment may be considered a party to the offense, even though they may not have engaged in such behavior.

In cases where harassment is committed by a non-employee against an employee in the workplace, the City Manager shall take whatever lawful action is necessary against the non-employee to bring the harassment to an immediate end.

Obligation of Employees

Employees are not only encouraged to report instances of harassment; they are obligated to report them. Employees are also obligated to cooperate in every harassment investigation. The obligation includes, but is not necessarily limited to, coming forward with evidence about a person accused of such conduct, fully and truthfully making reports, and answering questions when required to do so by an investigator. Employees are also obligated to refrain from making frivolous accusations of harassment in bad faith.

Disciplinary action may be taken against employees who fail to report instances of harassment, fail or refuse to cooperate in the harassment investigation, or file a frivolous complaint of harassment in bad faith.

Obligation of Managers and Supervisors

The City Manager, department heads and supervisors are required to:

- Stop any workplace harassment of which they are aware, whether or not a complaint has been made;
- Express strong disapproval of all forms of workplace harassment;
- Stop any acts that are seen which may be considered workplace harassment, and take appropriate steps to intervene;
- Take immediate action to prevent retaliation towards the complaining party or any participant in the investigation; and
- Take immediate action to eliminate any hostile work environment where there has been a complaint of workplace harassment.

911 - WORKPLACE VIOLENCE

The City of Columbia is committed to providing a safe, healthful workplace that is free from violence or threats of violence. The City does not tolerate behavior, whether direct or through the use of City facilities, property or resources that:

- Is violent;
- Threatens violence;
- Harasses or intimidates others;
- Interferes with an individual's legal rights of movement or expression; or,
- Disrupts the workplace, or the City's ability to provide service to the public.

Violent or threatening behavior can include: physical acts, oral or written statements, harassing email messages, harassing telephone calls, gestures and expressions or behaviors such as stalking.

Individuals who engage in violent behavior may be removed from the premises, and may be subject to dismissal or other disciplinary action, arrest and/or criminal prosecution.

Violence in the workplace includes relationship violence that intrudes into the workplace, endangering a person in the relationship or others in the workplace. Relationship violence is physically, sexually, and/or psychologically abusive behavior that a household member or dating partner uses to establish and maintain control over another person.

This policy applies to all City work locations including offices, work sites, vehicles, and field locations.

Verbal or physical conduct that harasses disrupts or interferes with an employee's work performance or which creates an intimidating, offensive or hostile work environment is not permitted. In particular, violence of any kind (including fighting, horseplay, roughhousing and vandalism), verbal harassment, physical harassment, and visual harassment, or the threat thereof, whether in the workplace or during work time or both, is prohibited. Employees engaging in such activity will be subject to disciplinary action up to and including dismissal.

The following items are prohibited on City property, including City owned parking areas, except when issued or sanctioned by and carried and used within the scope of employment for the City or unless the individual possesses a valid permit:

The following items are prohibited on City property, including City owned parking areas, except when issued or sanctioned by and carried and used within the scope of employment for the City or unless the individual possesses a valid permit:

- all types of weapons, including firearms, switchblade knives and knives with a blade longer than four inches;
- dangerous chemicals;
- explosives or blasting caps;
- chains;
- other objects carried for the purposes of injury or intimidation.

Reporting Requirements

The City has established procedures that employees must follow to report incidents of violence in the workplace, or to report concerns about situations that could become violent. These procedures have been created to ensure that incidents receive an appropriate and timely response.

Reporting Urgent Threats

An urgent threat is where there is actual violent behavior, or where it appears that violent behavior is likely to take place, such as a verbal altercation that appears to be escalating.

Call 911, after it is safe to do so, contact the supervisor.

Charges of violence and harassment shall be reported to any supervisor or the Human Resource Director. The Human Resources Director is charged with investigating all cases of workplace violence and harassment. Depending on the severity of the charges or whether a crime is committed, the City Manager may request that the Chief of Police provide assistance to the Human Resources Director or assume responsibility for the investigation. All employees are required to assist in the course of the investigation by providing testimony, statements, and evidence, as required. Failure to cooperate may result in disciplinary action.

If an employee has obtained an order for Victim Protection that includes City location(s) the employee should provide a copy of the order to the Human Resources Department. The Human Resources Department will notify the Police Chief.

Copies of the investigative report with recommendations for appropriate action will be turned over to the department head or City Manager as appropriate for further action. Disciplinary action up to and including dismissal may be taken against any employee who commits acts of workplace violence and harassment.

Orders of Victim Protection

Orders for Victim Protection include the following types of court orders:

- Protection Order
- No Contact Order
- Restraining Order
- Anti-Harassment Order

If an employee has obtained an Order for Victim Protection that includes City location(s) the employee should provide a copy of the order to the Human Resources Department. The Human Resources Department will notify the Police Chief.

912 – REPORTING OF ARREST OR CONVICTION

Pre-Employment Obligation

All candidates for employment shall have the duty to notify the City of any arrest or criminal conviction that occurs subsequent to being hired.

Ongoing Employee Obligation

All employees shall have the ongoing duty to notify the City in the event that any employee, whether full-time or part-time is arrested, charged or indicted for a criminal violation of any kind, whether misdemeanor or felony, with the exception of minor traffic infractions. He or she is required to report such arrest promptly to the department head within one (1) business day unless mitigating circumstances exist.

This reporting requirement applies regardless of whether such arrest has occurred on-duty or off-duty. Failure to comply with this reporting requirement shall be grounds for disciplinary action, up to and including termination.

The City reserves the right to determine appropriate disciplinary action in such cases, up to and including termination, depending upon the facts and circumstances surrounding the incident. However, if an employee is arrested, charged, indicted, or is convicted of one (1) or more felony offenses or made a material misrepresentation or omission on their job application they shall be immediately placed on administrative leave until an investigation can be completed.

913 - CRIMINAL INVESTIGATION/ PROSECUTION / CONVICTION

Criminal Investigation or Prosecution

Whenever the City becomes aware that an employee is the subject of a criminal investigation or prosecution, such employee may, prior to formal charges being filed, be suspended with or without pay pending the outcome of such investigation or prosecution where:

- (1) the employee is suspected of having committed a crime which violates a duty owed to the City (every employee has a duty not to commit a crime within the course and scope of his or her employment or on work premises), **or**
- (2) the employee is suspected of a crime or other offense which, upon conviction, would lessen the public's trust and confidence in the City and its employees.

Any investigation, criminal or otherwise, of a Police Officer employed by the City shall be subject to the provisions of Tennessee Code Annotated.

Criminal Conviction May Result in Termination

Except in case of minor traffic violations, conviction of any crime, whether a misdemeanor or felony, shall result in termination, when:

- (1) the employee is convicted of having committed a crime which violates a duty owed to the City (every employee has a duty not to commit a crime within the course and scope of his or her employment or on work premises), **or**
- (2) the employee is convicted of a crime or other offense which would lessen the public's trust and confidence in the City and its employees.

Conviction of any other crime, whether a misdemeanor or felony, may result in termination as follows: Any employee convicted of a crime committed outside the course and scope of employment and off work premises and sentenced to a term of imprisonment for any extended period, shall be terminated for absence without leave. However, in the event the execution of such sentence is suspended, the foregoing shall have no application.

If an employee is convicted of multiple minor traffic violations he/she may be subject to disciplinary action, including possible termination.

Should an employee be found not guilty in a trial or have a conviction overturned on appeal, such employee may be reinstated with back pay and other benefits to which he or she may be entitled.

Results from court proceedings on criminal charges do not preclude the City's right to terminate employment due to violation of the City's personnel policies and procedures.

914 - POLITICAL ACTIVITY

Except for the Mayor and City Council Members, no City employee shall engage in political activity or support of or opposition to any candidate, party, or measure in any election when on duty or off duty while in uniform or acting in employee's official capacity. When off duty and acting as a private citizen, no City employee shall be prohibited from engaging in political activity or denied the right to refrain from engaging in such activity. No elected official shall engage in political activity in support of or opposition to any candidate other than him/herself in any City election. No employee of the City shall serve on the City council.

No employee shall be coerced by any official, agent or employee of the City for contribution or assessment to any political organizations or member of any committee thereof, nor shall any employee give or promise any party, any office, employment benefit, or anything of value for the purpose of influencing or obtaining the political support, aid or votes of any person or persons. No employee shall appear at the polls while on duty or in uniform in any election, wearing a badge indicating support of any candidate, party, or ticket in such election nor hand out or distribute any literature concerning any candidate, party or ticket involved in such election; nor seek in any other manner to use his/her official position to influence any voter. Nothing herein contained shall be construed as abridging the constitutional and political rights of any City employee to express his/her opinions or to cast their vote.

915 - UNION ACTIVITY

Employees of the City of Columbia will have the right, freely and without fear of penalty or reprisal, to form, join and assist any lawful employee organization, or to refrain from any such activity.

The rights described in this section do not extend to participation in the management of an employee organization, or acting as a representative of any such organization, where such participation or activity would result in a conflict of interest or otherwise be incompatible with law or with the official duties of an employee.

No employee association, union or labor organization activities may be conducted during working hours. In addition, no such activities will be allowed on City premises, and the use of any type of City material or equipment is prohibited. Employees shall not be party to, participate in, or incite any strike and/or work slow down against the City of Columbia.

916 TOBACCO AND E-CIGARETTE USE

In order to provide a clean environment for all employees and visitors and to promote a positive impression of the City operations with the general public, the use of tobacco products, as well as smokeless tobacco and vaping products by employees while acting within the scope and in the course of their employment for the City shall be prohibited.

Department heads shall designate smoking areas outside of and in close proximity to City buildings and spaces where employees typically work; however, no employee shall be permitted to smoke, vape or use e-cigarettes directly in front of any City-controlled building or space including walkways and parking lots typically used by the public. This policy also applies to City vehicles. This policy does not apply to open-air facilities unless smoking therein is prohibited by other policies. Employees who violate this policy will be subject to disciplinary action. Visitors and other non-employees who violate this policy shall be advised by employees of the policy and requested to discontinue use of e-cigarettes, extinguish smoking materials or to move to a designated smoking area.

Designated smoking areas will be located at least 20 feet from the main entrance of City facilities. Supervisors will discuss the issue of taking breaks with their staff, both smokers and non-smokers. Together they will develop effective solutions that do not interfere with the productivity of the staff.

917 - DISCIPLINE

The City of Columbia may use disciplinary actions to assist supervisors and staff members in resolving unsatisfactory job performance, misconduct, or behavior that violates policies, procedures or practices. Disciplinary procedures will be administered consistently and in a manner that is intended to be corrective. This process is an important component of the City's goal of maximizing and sustaining the performance of its employees, and in maintaining a safe and productive work environment.

Disciplinary actions are usually corrective and progressive in nature; however, serious misconduct and work performance problems, or violation of laws or City policies, procedures and practices, may warrant disciplinary action outside of the progressive approach that is described below, including termination of employment.

The City of Columbia has adopted a progressive discipline policy. Progressive steps will be followed in employee disciplinary matters except in matters the City, its representatives, or its management determine need to be addressed outside of the progressive system.

Normally, the employee's immediate supervisor will administer any appropriate corrective or disciplinary action. Appropriate action will be determined based on factors such as severity, frequency, and degree of deviation from expectations and length of time involved. Because of the great variety of situations that may arise, the City may need to make decisions related to employment in a manner other than as provided in this section.

Disciplinary actions may take place in several forms. The forms of disciplinary actions are: verbal counseling; written counseling; suspensions and dismissals. The City's Human Resources Department should be consulted beforehand when disciplinary action with an employee is necessary.

Staff Dispute Resolution

It is the policy of the City of Columbia to provide a method of work-related dispute resolution to members of the City staff who believe that he or she is affected adversely by the application of a policy, procedure, or practice of the City or a City representative. Staff members have the right to have prompt consideration of the matter by appropriate administrators. (See Grievance Policy)

Behaviors that may Result in Disciplinary Action

Employees are prohibited from engaging in conduct listed below and may receive discipline up to and including dismissal for doing so. This list has been established to serve as examples of behavior that could warrant a range of disciplinary sanctions. Appropriate levels of discipline may be based on the severity of employee behavior. This list is not exhaustive.

- Displaying disrespectful and/or inappropriate behaviors toward an employee, supervisor or citizen;

- Refusing to do assigned work or failing to carry out the reasonable assignment of a manager, supervisor or department head;
- Being inattentive to duty, including sleeping on the job;
- Falsifying a time card or other City record or giving false information to anyone whose duty is to make such record;
- Being repeatedly or continuously absent or late, being absent without notice or reason satisfactory to the City or leaving one's work assignment without appropriate authorization;
- Failing to report an On the Job Injury (OJI);
- Using tobacco products within no-tobacco areas, operations or any area of the City that must be entered to conduct City business;
- Conducting oneself in any manner which is offensive, abusive or contrary to common decency or morality; carrying out any form of harassment including sexual harassment;
- Operating City-owned vehicles, equipment or private vehicles on City business without proper license or operating any vehicle on City property or on City business in an unsafe or improper manner;
- Having an unauthorized weapon, firearm or explosive on City property;
- Appropriating City equipment, time or resources for personal use or gain;
- Computer abuse, including but not limited to, plagiarism or misuse of computer accounts, unauthorized destruction of files, creating illegal accounts, possession of unauthorized passwords, disruptive or annoying behavior on the computer and non-work related utilization of computer software or hardware;
- Conviction of a felony;
- Misusing or willfully neglecting City property, funds, materials, equipment or supplies;
- Unlawfully distributing, selling, possessing, using or being under the influence of alcohol or drugs when on the job or subject to duty;
- Fighting, engaging in horseplay or acting in any manner which endangers the safety of oneself or others. This includes acts of violence as well as threats of violence.
- Interfering in any way with the work of others;
- Stealing or possessing without authority any equipment, tools, materials or other property of the City or attempting to remove them from the premises without approval or permission from the appropriate authority;
- Marking or defacing walls, fixtures, equipment, tools, materials or other City property, or willfully damaging or destroying property in any way;
- Willful violation of safety rules or City policies.

Oral Reprimand/Counseling

The supervisor will issue a memorandum stating the date of the oral reprimand, what was said to the employee, and the employee's response. The memorandum is to be used for documentation that the counseling occurred. Such a memorandum documenting an oral reprimand is to be placed in the department head's personnel file for that employee and is not to be placed in the Human Resources Department's personnel file for that employee unless the matter is subsequently addressed by additional discipline.

Written Reprimand

In situations where an oral reprimand has not resulted in the expected improvement or when more severe action is warranted, a written reprimand may be given to the employee. The supervisor administering the written reprimand shall confer with and advise the employee that the action is a written reprimand and emphasize the seriousness of the problem; cite previous corrective actions and/or informal discussions relating to the offense; identify the problem and/or explain the offense; inform the employee of the consequences of continued undesirable behavior; detail corrective actions and identify dates by which the corrective actions shall be taken. The employee shall be asked to sign the written reprimand to indicate that he or she has seen the document and to acknowledge receipt of the employee's copy. Should the employee refuse to sign the written reprimand, the supervisor will obtain a witness to sign and date the form and so indicate the employee's refusal to sign.

At the conclusion of the conference with the employee, a copy of the written reprimand shall be placed in the Human Resources Department's personnel file for that employee, along with a copy of any memorandum documenting any oral counseling/reprimand issued previously to that employee on the same or any directly related subject.

Suspension

An employee may be suspended with or without pay by his or her department head with the approval of the City Manager. Employees may elect to use vacation paid time off for suspensions of up to five (5) days. In a suspension resulting in six (6) or more days, employees can only use five (5) days vacation paid time.

A written notice of any proposed suspension shall be provided to the employee. The written notice shall be specific as to times, places and other pertinent facts concerning the charges and shall be provided to the employee as soon as possible by the department head. The notice shall also provide for the employee to be allowed to choose to have a pre-determination hearing regarding the charges prior to a final decision being rendered by the City Manager. The purpose of the pre-determination hearing is to allow the employee to present information to the City Manager regarding the disciplinary action under consideration.

An employee's written request for a pre-determination hearing must be received by the Human Resources Department within three (3) City business days of the employee receiving the notice of proposed suspension. The employee shall be granted such a hearing, to be held within five (5) City business days of the Human Resources Department's receipt of the employee's request.

The pre-determination hearing shall include the employee, the employee's department head, the Human Resources Director and the City Manager. In the unavoidable absence of the employee's department head, the Human Resources Director or the City Manager within the permitted time-frame, the absent party may appoint a representative for themselves. The pre-determination hearing provides an informal opportunity for the

employee to challenge the proposed suspension before the final decision is made as to whether to suspend.

At the pre-determination hearing the employee will be allowed to present written statements of witnesses or any other information to the City Manager regarding the charges under consideration. Attendance and participation by persons other than the City Manager, the department head, the Human Resources Director and the employee is at the discretion of the City Manager. The City Manager shall render the final decision as to whether to suspend within five (5) City business days of the conclusion of the pre-determination hearing.

If the final decision following the pre-determination hearing is not to suspend, then the employee, if already on leave resulting from the suspension, shall be returned to regular duty and, if the suspension was to have been without pay, then the employee shall be paid in full for the length of that leave. If an employee fails to present him/herself at a scheduled pre-determination hearing or fails to request a pre-determination hearing within three (3) City business days of receiving the notice of proposed suspension, then the proposed suspension and its pay status shall become final. All records associated with either an unchallenged or a challenged but affirmed suspension shall become a permanent part of the Human Resources Department's personnel file for that employee.

Dismissal

At times a management-initiated action based on employee misconduct or performance deficiencies may be warranted. When this occurs, the employee will be informed in writing of the reason(s) for the proposed termination. A Human Resources Department representative must be present at all meetings in which involuntary termination occurs.

Reasons for dismissal may include, but shall not be limited to: misconduct, negligence, incompetence, insubordination, unauthorized absences, falsifying records, or violating any Charter provisions, Ordinances, or these policies. Examples include:

- incompetence or inefficiency in performing duties;
- conviction of a criminal offense or of a malfeasance involving moral turpitude;
- violating any lawful and reasonable regulation, order, or direction made or given by a superior, or insubordination that constitutes a serious breach of discipline;
- while acting within the scope and in the course of employment for the City, using or being under the influence of any alcoholic beverage;
- while acting within the scope and in the course of employment for the City, using or being under the influence of any illegal drug, prescription drug without a legal prescription, prescription drug other than in accordance with a legal prescription, or non-prescription drug other than for the manufacturer's indicated symptoms and in accordance with the manufacturer's recommended dosages unless otherwise directed by a licensed health care provider;
- theft, destruction, carelessness, or negligence of City property;
- disgraceful personal conduct or language toward the public, the City Council, the Civil Service Board, other officials of the City or fellow employees;

- verbal or physical conduct that harasses, disrupts or interferes with an employee's work performance or which creates an intimidating, offensive or hostile work environment, including violence of any kind, verbal harassment, physical harassment, and visual harassment, or the threat thereof, whether in the workplace or during work time or both;
- unauthorized absences or abuse of leave privileges;
- incapacity to perform the essential functions of a job because of a permanent or chronic physical or mental disability that cannot be reasonably accommodated;
- accepting any valuable consideration that was given with the expectation of influencing the employee in performing his or her duties;
- falsifying records and/or documents;
- materially falsifying a statement of fact on, or omitting material information from his or her employment application;
- using official position for personal advantage;
- loss of an employee's driver's license and driving privileges by due process of law in the case of an employee appointed to any position for which a driver's license is required to perform functions of the job;
- willful, egregious or persistent violation of any provisions of the Charter, the Municipal Code, or these personnel policies and procedures.
- falsifying time, is considered a very serious offense and cause for immediate dismissal regardless of an employee's prior work record. Falsifying time includes but is not limited to using any employees time/identification card to "clock in," in their absence, entering a punch at the time-clock for another employee in their absence, or editing an employee's time to add or remove hours or money to which they are not otherwise entitled.

A written notice of the proposed dismissal, shall be provided to the employee. The written notice shall be specific as to times, places and other pertinent facts concerning the charges and shall be provided to the employee as soon as possible by the department head. The notice shall also provide for the employee to be allowed to choose to have a pre-determination hearing regarding the charges prior to a final decision being rendered by the City Manager. The purpose of the pre-determination hearing is to allow the employee to present information to the City Manager regarding the disciplinary action under consideration.

An employee requesting a pre-determination shall request the hearing in writing to the Human Resources Department within three (3) City business days of the employee receiving the notice of proposed dismissal. The employee shall be granted such a hearing, to be held within five (5) City business days of the Human Resources Department's receipt of the employee's request.

The pre-determination hearing will include the employee, the employee's department head, the Human Resources Director and the City Manager. In the unavoidable absence of the employee's department head, the Human Resources Director or the City Manager

within the permitted time-frame, the absent party may appoint another to represent them. The pre-determination hearing provides an informal opportunity for the employee to challenge the proposed dismissal before the final decision is made as to whether to dismiss.

At the pre-determination hearing the employee will be allowed to present written statements of witnesses or any other information to the City Manager regarding the charges under consideration. Attendance and participation by persons other than the City Manager and the employee is at the discretion of the City Manager. The City Manager shall render the final decision as to whether to dismiss within five (5) City business days of the conclusion of the pre-determination hearing.

If the final decision following the pre-determination hearing is not to dismiss, then the employee, if already on leave pending the outcome of the pre-determination hearing, shall be returned to regular duty with full pay for the length of that leave.

If an employee fails to appear at a scheduled pre-determination hearing or fails to request a pre-determination hearing within three (3) City business days of receiving the notice of proposed dismissal, then the proposed dismissal will become final.

All records associated with either an unchallenged or a challenged but affirmed dismissal shall become a permanent part of the Human Resources Department's personnel file for that employee.

918 - TERMINATION

It is the City of Columbia's policy to ensure that employee terminations are handled in a professional manner with minimal disruption to ongoing work functions.

There are two types of terminations:

- Voluntary
- Involuntary

Voluntary Termination

Voluntary termination of employment occurs when an employee informs his/her supervisor of the employee's resignation, or termination is deemed to have occurred when an employee is absent from work for three consecutive workdays and fails to contact his/her supervisor (job abandonment).

Employees are expected to provide a minimum of two weeks' notice of their intention to separate from the City in order to allow a reasonable amount of time to transfer ongoing workloads. It is expected that written notification will be provided to the employee's supervisor. Upon receipt of an employee's resignation, the supervisor will notify the department head and Human Resources. The department will forward the resignation letter along with an employee action form to the Human Resources Department.

The Human Resources Department will coordinate with the employee any out-processing applicable to the employee. This could include the following:

- Returning all City property (i.e. keys, ID cards, credit cards and receipts, uniforms, computers, phones, etc.);
- Review of benefits status;
- Completion of an exit interview questionnaire. The exit interview provides employees the opportunity to freely express views about working at the City and will be held in strict confidence. The Human Resources Department will compile data from exit interviews to determine if feedback to an employee's supervisor or Department Head is necessary.

Involuntary Termination

An involuntary termination of employment including layoffs, is a management initiated dismissal. The inability of an employee to perform the essential function of the job with or without a reasonable accommodation may also result in an involuntary termination.

Discharge may be for cause - a legal reason, i.e. misconduct, tardiness, absenteeism, unsatisfactory performance, inability to perform, etc. In some cases progressive discipline may be used, prior to termination, to correct a performance problem. However,

certain types of employee misconduct are so severe that one incident of misconduct will result in immediate dismissal without prior use of progressive discipline.

Prior to an involuntary termination, consideration will be given to an employee's service and past contributions to the City. The possibility of transfer or demotion will be explored in all cases except those which involve gross misconduct. If the termination is for cause, the employee may request a pre-determination hearing as outlined in Policy 917; see the section on "Discipline".

919 - APPEALS AND GRIEVANCE

Appeals

Pursuant to section 7.09 of the charter, any employee, within ten (10) days after any disciplinary action, may appeal to the civil service board such action taken against him or her. Such appeal shall be made in writing and delivered to the Human Resources director serving in his or her capacity as clerk to the civil service board. Upon receipt of an appeal of disciplinary action, the civil service board shall, in accordance with section 7.09 of the charter, set a date and time for a hearing and shall carefully consider all evidence presented. The employee shall have the right to be represented at the hearing by an attorney, shall have the right to confront and examine all witnesses, and may introduce on his or her own behalf any evidence relevant to the charges specified against him or her. The civil service board shall then make a decision as to sustain, modify or overrule the disciplinary action. The decision of the civil service board shall be final and binding in all cases except that the civil service board's final decision may be appealed to a court of law of competent jurisdiction, pursuant to section 7.09 of the charter.

Grievance

It is the policy of the City to allow employees to submit grievances when circumstances of misunderstanding or disagreement arise involving employees in order to assure employees that their problems and complaints shall be considered fairly, rapidly, and without reprisal. The City's goal and intent is to determine what is fair and just more than who is right. The City encourages free and open discussion between employees and supervisors for effective communications and understanding pertaining to work-related matters.

A grievance is defined as an employee's complaint, or an employee's feeling of dissatisfaction or difference of opinion, disagreement, or dispute arising between employees or between an employee and his or her supervisor, department head and/or the City, regarding some aspect of his or her employment, application or interpretation of these personnel policies and procedures, or some management decision affecting the employee. A grievance can be something real or alleged, and may arise from an employee's complaint about, disagreement with, or misunderstanding concerning any of the following:

- some aspect of employment and/or employment conditions working relationship between the employee and the employee's supervisor and/or the employee's department head and/or the City;
- a working relationship between the employee and other employees;
- the results of performance evaluations of the employee;
- harassment of the employee in his or her capacity as an employee (except that in the case of sexual harassment, the process provided in the City's sexual harassment policy must first be utilized);
- the fairness, application or interpretation of these personnel policies and procedures, except those specifically listed below;

- management or administrative decisions or directives affecting the employee's health, safety, workplace, equipment or material used; and
- other related items, except those specifically listed below.

A grievance may not arise from any of the following:

- disciplinary actions involving the employee
- personnel actions pertaining to position classifications, or changes thereto;
- the pay plan and/or other forms of compensation including employee benefits, or changes thereto including reclassifications; and
- the abolishment of positions and any resulting demotions, transfers or lay-offs.

It is the City's desire to address grievances informally, and both supervisors and employees are expected to make every effort to resolve problems as they arise. However, it is recognized that there will be occasional grievances that will be resolved only by more formal means. Employees who have a grievance may discuss the grievance informally with their immediate supervisor, a higher-level supervisor, and/or the department head. Every employee may present a grievance free from fear, interference, restraint, discrimination, coercion, or reprisal.

An employee with a grievance has a right to:

- a grievance hearing as specified in this policy;
- grievance proceedings are considered informal hearings and legal counsel is not permitted to participate in the grievance process;
- present written notarized statements supporting employee's position;
- examine and copy all documents that will be used by the City as justification for its actions; and
- be free from threats, coercion, intimidation, or discrimination from other employees because he or she has made complaints, testified, or assisted in any manner in the above-stated grievance procedures.

The grievance may be resolved at any step in the procedure by mutual concurrence. Notation of any settlement shall be signed by all parties and forwarded to the Human Resources Director.

Throughout the grievance procedure, whenever a specific number of City business days are allowed to submit a grievance or to respond to a grievance finding, then the "City business days" in question shall be those normal to the person responsible for the next action. For these purposes, "City business days" do not include days on which that person is either on authorized leave or out of town on City business.

The following steps are to be followed to resolve an employee grievance:

- The employee should discuss the matter with his or her immediate supervisor as soon as the grievance develops or as soon as possible thereafter. The supervisor shall make every effort to resolve the matter informally.
- If the matter is not resolved, the employee shall, as soon as possible after the employee's effort to resolve the matter with the supervisor, submit in writing to the same supervisor a complete statement as to the nature of the grievance, and one or more suggested solutions.
- The supervisor shall then promptly investigate the circumstances surrounding the grievance, discuss the matter with the appropriate department head, and take any necessary action, if possible. The supervisor shall, within ten (10) City business days of receiving the written grievance, prepare a written report of the findings, conclusions, decisions and actions taken or to be taken, if any, resulting from his or her investigation of the grievance, and provide the employee and the department head each with a copy of the report.
- If the supervisor's action and/or written response is not satisfactory to the employee, the employee may continue the process through the chain of command within the employee's department.
- If the grievance process reaches the department head the department head shall, within ten (10) City business days of receiving the grievance from the employee, provide the employee with an opportunity to meet informally with the department head to discuss the grievance. The department head then, within ten (10) City business days of that informal meeting or of receiving the employee's written declination of an opportunity to meet informally, shall provide the employee with a written response to the grievance.
- If the department head's written response is not satisfactory to the employee, then the employee may submit the written grievance requesting a grievance hearing to the city manager within ten (10) City business days of receiving the department head's written response.
- The City Manager shall obtain all information in its entirety from the department head, including the supervisor's written report, the department head's written response and any other pertinent information gathered throughout the grievance process. The City Manager shall, within ten (10) City business days of receiving the written request for a grievance hearing, set the date, time and location for a grievance hearing, and shall notify the employee, the supervisor, the department head and the Human Resources Director of this information. It is the responsibility of the employee to appear at the scheduled grievance hearing. If the employee fails to appear and has no justifiable reason for failing to appear, then the matter shall be dismissed.
- In his or her capacity as grievance hearing officer, the City Manager shall have the authority to interview witnesses under oath, to compel the attendance of employees,

to require the production of information by employees and to request attendance and production of information by non-employees.

- The City Manager shall have ten (10) City business days from the conclusion of the hearing to render a decision. The decision shall be in writing and shall include the reasons for the decision. The City Manager's decision shall be final and binding in all cases except that it may be appealed to a court of competent jurisdiction. The City Manager's determination is not intended to substitute his or her judgment for that of the employee's supervisor and/or department head but, rather, is to declare whether the grievance procedures followed to date have been appropriate and whether the management decisions made to date are reasonable under the circumstances. The Human Resources Director shall place a copy of the grievance and all written responses thereto, including the City Manager's determination, into the human resources department's personnel file for that employee.
- All written correspondence throughout the grievance proceedings shall be copied to the Human Resources Department.

Personnel Policies and Procedures

of the City of Columbia, Tennessee

Adopted August 8, 2024 by City Council Resolution No. 24-60
Effective: August 8, 2024

DRAFT August 2024 FOR
1. STUDY SESSION
2. CITY COUNCIL VOTE

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SECTION 100

INTRODUCTION

101 - PURPOSE AND OBJECTIVES

The primary purpose of these policies is to establish a high degree of understanding, cooperation, efficiency, and unity among employees of the City of Columbia, fostered by a systematic application of good procedures in personnel management. Another purpose is to provide uniform policies for all employees with all the benefits such a program ensures, without regard to race, color, creed, religion, national origin, gender, age, disability, or political affiliation.

The fundamental objectives of these personnel management policies are to:

- Promote and increase effectiveness among employees of the City; and
- Provide fair and equal opportunity to all employees and qualified applicants on the basis of demonstrated merit and fitness as ascertained through fair and practical methods of selection; and
- Develop a program of recruitment, advancement, and tenure that will make employment with the City attractive as a career and encourage each employee to render the best service; and
- Establish and promote high morale among employees by providing a good working environment, a uniform personnel policy, opportunities for advancement, and consideration for employee needs and desires.

102 - PERSONNEL POLICY STATEMENT

All qualified applicants will receive equal consideration for employment without regard to race, color, national origin, sexual orientation, religion, sex, pregnancy, marital status, age, physical or mental disability, or covered veteran status. The preceding statement will serve as the City's non-discrimination statement throughout this handbook.

Employment and Placement

It is the policy of the City to apply and foster a sound program of personnel management. Specifically, it is the declared intent of the City to:

- Ensure eligibility and other terms and conditions of employment benefits at the City of Columbia are governed by laws and regulations of the State of Tennessee, and this non-discrimination statement is intended to be consistent with those laws and regulations.
- Act in accordance with the requirements of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.
- Investigate inquiries and charges in violation of Title VI (race, color, and national origin), Section 504 (disability), ADA (disability), Age Discrimination in Employment Act (age), or veteran status should be directed to the Human Resources Department. Requests for accommodation of a disability should be directed to the Human Resources Department.
- Establish programs for the promotion, transfer, demotion, dismissal, and reassignment of personnel in concert with applicable legislation.

Position Classification and Pay Administration

The City shall:

- Establish and maintain job descriptions for every position with the descriptions maintained on file with the Personnel Director and department head; and
- Review position descriptions periodically and systematically with the employee to ensure the descriptions remain accurate and reflect current job duties; and
- Establish appropriate minimum requirements and to group positions in classes with similar standards; and
- Measure competitiveness of wages and salaries by conducting periodic surveys of area wages and salaries.

Employee Relations and Services

The City will:

- Develop a system of job performance standards and evaluation, and inform each employee periodically and systematically of the status of his or her job performance; and
- Establish rules and standards governing employee conduct; and
- Administer a uniform leave program; and
- Provide employee grievance procedures; and
- Inform employees of their responsibilities, rights, and privileges; and
- Provide and maintain a safe and healthful work environment.

Employee Development and Training

- Establish training and performance standards and requirements for all positions; and
- Motivate and stimulate employees to achieve their highest potential.

Records

- Establish and maintain comprehensive and uniform personnel records.

103 - COVERAGE

These policies and procedures apply to all employees of the City, except as otherwise specified by this document, the Charter, and/or the Ordinances of the City.

All City offices and positions are divided into classified service and non-classified service. Classified service consists of all positions of employment in the City's service unless specifically placed in non-classified service. Non-classified service consists of the following positions:

- all elected officials; and
- members of appointed boards and commissions; and
- the City Manager; and
- the City Attorney; and
- the City Judge; and
- consultants, advisers, and legal counsel rendering professional service; and
- independent contractors.

Administration

These personnel policies and procedures shall be administered by the City Manager under the direction of the City Council and in conformity with the Charter and Municipal Code provisions establishing the City's personnel system.

104 - AMENDMENTS, SEVERABILITY, CONFLICT WITH CHARTER

Amendments

Amendments or revisions to these personnel policies and procedures shall become effective after being approved by a Resolution of the City Council.

Severability

Each section, subsection, paragraph, sentence, and clause of this policy document is hereby declared to be separable and severable. The invalidity of any section, subsection, paragraph, sentence, or clause shall not affect the validity of any other portion of these policies, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted.

Conflict with Applicable Law

These personnel policies and procedures are believed to be written within the framework of the Charter of the City, State, and Federal law, but, in case of conflict, Federal and then State law takes precedence.

Policies Do Not Constitute a Contract

These personnel policies and procedures are for information only. This is not an employment contract. This document is a statement of current policies, practices, and procedures. Nothing in this document is to be interpreted as giving employees any more property rights in their jobs than may already be given by the Charter. These personnel policies and procedures shall be reviewed periodically. The City reserves the right to change any or all such policies, practices, and procedures in whole or in part at any time, with or without notice to employees.

SECTION 200 EMPLOYMENT

201 – EQUAL EMPLOYMENT OPPORTUNITY

The City of Columbia is firmly committed to ensuring that equal opportunity and access are afforded to all its employees, as well as prospective employees. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. It is vital, therefore, that we are all reminded of these issues and reaffirm our commitment throughout the course of our employment.

The City strives to provide a work environment conducive to the personal and professional development of its employees. With a workforce that possesses the core competencies necessary for effective service, the City is dedicated to serving the citizens of Columbia through education, leadership development, research, and service.

The City of Columbia has developed this policy to ensure that all its employees can work in an environment free from unlawful harassment, discrimination, and retaliation. The City of Columbia will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Employees are protected against employment discrimination when it involves:

- Unfair treatment because of race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, sexual orientation, gender identity or expression, genetic information, or any other characteristic protected by law.
- Denial of a reasonable workplace accommodation that the employee may need because of their religious beliefs or disability.
- Retaliation because the employee complained about job discrimination, or assisted with a job discrimination investigation or lawsuit.

Complaints

The City of Columbia encourages reporting of all perceived incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with their immediate supervisor or any member of the Human Resources department. See the complaint procedure described below.

In addition, The City of Columbia encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and to request that it be discontinued. Often this action alone will resolve the problem. The City recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

Complaint Procedure

Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with their immediate supervisor or the personnel department.

The City encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

The City will maintain confidentiality throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Misconduct constituting harassment, discrimination, or retaliation will be dealt with appropriately.

If a party to a complaint does not agree with the resolution, that party may appeal as outlined in Policy 919 – Appeals and Grievance.

False and malicious complaints of harassment, discrimination, or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

The Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act (Pub. L. 117-328) (PWFA), as it appears in volume 42 of the United States Code, at section 2000gg. The PWFA, which is administered and enforced by the EEOC, requires covered employers to provide reasonable accommodations to a worker's known limitations related to pregnancy, childbirth, or related medical conditions unless the accommodation will cause the employer an undue hardship.

American Disabilities

The City of Columbia is committed to the fair and equal employment of individuals with disabilities under the ADA. It is the City of Columbia's policy to provide reasonable accommodation to qualified individuals with disabilities unless the accommodation would impose an undue hardship on the city. The City of Columbia prohibits any harassment of, or discriminatory treatment of, employees or applicants based on a disability or because an employee has requested a reasonable accommodation.

Commitment to Diversity

The City of Columbia is committed to creating and maintaining a workplace where all employees can participate and contribute to its success and are valued for their skills, experience, and unique perspectives. The commitment is embodied in City Policy and how we do business at the City of Columbia and is an essential principle of sound city management.

202 - RECRUITMENT

The foundations of staffing management encompass finding qualified employees, attracting them employing them strategically in the organization, and keeping them for the long haul.

The City of Columbia is committed to employing the best qualified candidates for approved positions while engaging in recruitment and selection practices that are in compliance with all applicable employment laws. It is the policy of the City to provide equal employment to all applicants and employees. In addition, hiring decisions are based on the requirements of the job as outlined in the job description.

A personnel requisition form and the appropriate authorization is required to initiate any action for an open position including any recruitment efforts, advertising, interviewing and offers of employment.

All jobs require a job description. Among other things, job descriptions are important tools for maintaining compliance with the Fair Labor Standards Act and Americans with Disabilities Act, recruitment and selection, and assessing employee performance.

Position Announcements

The following standardized procedures for filling position vacancies are to be used:

A department head desiring to fill a vacancy for any position shall submit a personnel requisition form to the Human Resources Department. The requisition must be approved by the City Manager.

Upon receipt of the completed requisition, the position will be posted on the City's website internally for a minimum of five (5) business days, unless the position is to be filled from a current eligibility list. Only applications submitted directly via the website will be considered. Preliminary screening of candidates to determine whether minimum qualifications have been met will be done by Human Resources and the hiring authority. Only applicants meeting minimum requirements for the position will advance in the recruitment process.

To assist with determining the suitability or desirability of an applicant, written, oral or other tests may be used. Employment testing, including personality tests, intelligence tests, work samples, assessment centers and performance-based assessments may be used. However, Human Resources must approve all tests that are administered.

The hiring manager will identify member(s) to serve on the committee (3 – 5 members) consisting of:

- At least one individual who has a strong understanding of the role and its contribution to the department;
- A job specialist (technical or functional), if appropriate;
- An individual who will interact closely with the position (mentor);
- A HR staff member;
- The hiring authority.

After testing and interviews have been completed, the committee will recommend a candidate for the position. The hiring authority or designee will notify Human Resources of the selected finalist, pay rate, anticipated start date, complete the Applicant Pool form and forward it to Human Resources. The hiring authority or designee can then notify the candidate with the conditional offer and personnel will initiate an offer letter. After the selected candidate has accepted and completed the requirements of the conditional offer, a Personnel Action Form will be completed, whereby the City Manager confirms the hire.

The provisions of this policy will not apply to Department Head selection decisions. All communications with applicants at this level will be handled by the City Manager in consultation with the Human Resources Department.

Retirees Working for the City

In order to utilize the skills and experience of the City's retirees, all departments that have part-time and/or temporary/seasonal employment opportunities at various times throughout the year are encouraged to consider and, when there is a good match for employment, hire City retirees in filling these positions.

Retirees must meet the minimum requirements for any position they fill. If they meet the qualifications for the position, retirees earning retirement benefits from the City will be considered and allowed to return to work part-time and / or full-time. If a retiree returns to full-time employment, at the end of said employment, the retiree's pre-2012 health insurance benefits will be re-established.

EXIT INTERVIEWS

The HR department will contact an employee who voluntarily resigns to schedule an exit interview appointment. The Department head may also conduct exit interviews if the employee prefers. The exit interview documents will be maintained and stored in the employee's personnel file, which is located in Human Resources.

203 - APPLICATIONS

A goal of the City is to attract qualified applicants for all City positions. In so doing, the Human Resources Department may utilize the following methods of recruitment: place ads in local and area newspapers, on the City's website, professional association list serves and websites, direct mail, tele-recruiting, and direct recruiting to ensure a qualified applicant pool can be obtained.

Most full and part time regular positions are filled from conducting local and regional searches. For Police and Fire, an eligibility list established as a result of competitive examinations and interviews is utilized. The examination may consist of a written exam, performance test, oral interviews, assessment center, or any combination of these as established.

All applicants must complete an employment application available on the City's website. Employment applications are accepted only for open and advertised positions and only during the period of time the City establishes for each announcement.

The City does give preference in the hiring process to military veterans who are qualified covered veterans. It will be necessary for applicants to be present at the time of filing the application discharge documents showing dates of entry, discharge, and honorable service. Proof of claimed service must be presented in the form of a DD 214 or a V.A. letter with appropriate orders, if necessary, and proof of disability related to the service.

The Human Resources Department will make reasonable accommodations in the application process to applicants with disabilities, who request such accommodation.

An applicant may be removed from consideration if he or she:

- declines an appointment when offered;
- cannot be located by the contact information provided in the application material;
- fails to undergo and pass a post-offer/pre-employment drug test that produces a negative drug screen result;
- fails to successfully complete a criminal background check;
- has made a false statement of material fact on, or has omitted material information from, his or her employment application;
- does not file the application within the period specified in the application/examination announcement or does not use the prescribed form or uses a different format than allowed as a reasonable accommodation; and/or does not possess the minimum qualifications as indicated by the job description.

204 -PRE-EMPLOYMENT EXAMINATIONS

All appointments in the City shall be made according to merit and fitness and may be subject to competitive examination. All such examinations shall fairly and impartially test those matters relevant to the capacity and fitness of the applicant to efficiently execute the duties of the position to be filled.

The pre-employment examinations held to establish eligibility and fitness for any position may consist of one or more of the following parts as determined by the department in consultation with Human Resources. The Human Resources Department will make reasonable accommodations in the examination process to applicants with disabilities, who request such accommodation.

Written Test

When required, shall include a written demonstration designed to show the applicant's knowledge, skill and ability for the position to which he or she is seeking appointment.

Oral Test

Shall include a personal interview where the ability to deal with others, to meet the public, and/or other personal qualifications are to be evaluated. An oral test may also be used in examinations where a written test is unnecessary or impractical or as a reasonable accommodation to someone unable to take a written test due to a disability.

Performance Test

Shall involve performance tests to aid in determining the ability and manual skills of applicants to perform the essential function of the position.

Physical Ability Test

When required consists of job-related tests of bodily conditioning, muscular strength, agility, and physical fitness of job applicants for a specific position.

Mental Test

Includes any test to determine mental alertness, general capacity of the applicant to adjust his or her thinking to new problems, or to ascertain special character traits and attitudes.

Computerized Voice Stress Analysis (CVSA)

Uses only a microphone plugged into the computer to analyze the subject's responses. As the subject speaks, the computer displays each voice pattern, numbers it and saves each chart to file. Micro tremors are tiny frequency modulations in the human voice. When

a test subject is lying, the automatic, or involuntary nervous system, causes an inaudible increase in the Micro tremor's frequency. The CVSA® detects, measures, and displays changes in the voice frequency.

Post-Offer Drug Test

Post-offer/pre-employment drug testing shall be required of all applicants to whom a conditional offer of employment is made, and such testing must produce a verified negative drug screen result before such applicant shall be permitted to begin employment with the City. Job applicants will be denied employment with the City and any conditional offer of employment will be rescinded if their pre-employment drug test results have been verified by the City's Medical Review Officer (MRO) as positive diluted, altered or if they refuse to submit to a pre-employment test for drug abuse.

Medical Examinations

Following a conditional offer of employment, every prospective regular employee may be required to undergo a medical and/or psychological examination if required, conducted by a licensed health care provider selected by the City. The Human Resources Department will schedule these medical examinations and related tests. The medical examination will focus on whether prospective employees can perform the essential functions of the position offered, and will provide baseline medical information about the prospective employee's general condition of health. The cost of this medical examination shall be borne by the City.

Post Offer Background Checks

Background screenings and verification of relevant information help protect the safety and security of the City's staff and guests, as well as City assets, by reducing the likelihood of crime, injury or loss, and increasing confidence in the City's workforce. Background checks will be performed post- offer prior to beginning work for the City for all positions.

Review of Background Screening Results

A criminal record, negative credit history, or other adverse results is not an automatic bar to employment at the City. The City will consider the passage of time and the severity, frequency, and nature of a conviction, as well as its relationship to the position in question. Other factors may include the candidate's full disclosure of the conviction during the application process (e.g., application, interview). Department heads may also consult with appropriate staff as part of that review (e.g., Human Resources, City Manager, City Attorney) to determine whether the finalist has passed the screening.

Motor Vehicle Records (MVR) Check

City employees who use or perform maintenance on City vehicles will undergo regular MVR searches (e.g. to ensure driver's license is in good standing). In addition, positions requiring a Commercial Driver's License will also be subject to MVR searches. Appropriate screenings may occur at other times, if circumstances warrant it or as required by law.

205 CATEGORIES OF EMPLOYEES

Active Employee – A current employee who receives recurring biweekly paychecks.

Exempt Employee – An employee exempt from the overtime provisions of the Federal Fair Labor Standards Act, generally including salaried executive, administrative, professional and specific other employees.

Non-Exempt Employee – An employee not exempt from the overtime provisions of the Federal Fair Labor Standards Act, generally hourly employees.

Full-time Regular Employee – An employee, who usually is and regularly scheduled to work 40 or more hours per workweek or, (and only) in the case of shift personnel of the Fire Department, 216 or more hours per four-week work period in a full-time budgeted position.

Part-time Regular Employee – An employee who is usually and regularly scheduled to work no more than 28 hours per workweek (**1456 hours**). Part-time employees are eligible for benefits required by law.

Full-time Temporary Employee - Hired to work 40 hours per week for a specified, limited time period or hired to complete a specified project or assignment. Not eligible for benefits except as required by law.

Part-time Temporary Employee - Hired to work 30 hours per week or less for a specified, limited time period or hired to complete a specified project or assignment. Part-time employees are eligible for benefits required by law.

Volunteer Employee – An individual who works for the City for no compensation or remuneration of any kind. A Personnel Action Form will be initiated and an emergency contact form will be completed for anyone volunteering for the City.

206 - MINIMUM AGE

The City will not hire any individual less than sixteen (16) years of age. For sworn personnel of the Police Department employees must be at least twenty-one (21) years of age. Fire Suppression personnel are required to be at least eighteen (18) years of age.

207 - NEPOTISM

Decisions about hiring, promoting, evaluating, awarding salary increases, and terminating employees are based on qualifications for the position, knowledge, skill, ability, and performance. Every attempt is made to avoid favoritism. The policy is intended to ensure effective supervision, internal discipline, security, safety, and positive morale in the workplace. It also seeks to avoid the perception of favoritism, conflicts in loyalty, discrimination, the appearance of impropriety, and conflicts of interest.

Notwithstanding this policy, the City of Columbia retains the right to refuse to appoint a person to a position in the same department, division or facility, wherein his/her relationship to another employee has the potential for creating adverse impact on supervision, safety, security or morale, or involves a potential conflict of interest. The department head shall have the authority and responsibility for determining if such a potential for adverse impact exists or does not exist. This policy applies to individuals who are related by blood, marriage, domestic partners or adoption.

If any two employees are in violation of this nepotism policy without the specific approval of the City Manager upon the favorable recommendation of the respective department head, then those employees shall be asked to determine which of them will transfer within ninety (90) days to any vacant position for which the employee is qualified and which would resolve the violation. An employee who is allowed to transfer under these circumstances must meet the minimum qualifications of a vacant, budgeted position and must have had an overall satisfactory rating on the last performance evaluation. If such a transfer cannot be arranged within ninety (90) days for either of the employees, then the employees shall be asked to determine which of them will leave City employment.

In the event the employees cannot decide between them who will leave, and if a transfer cannot be arranged, then the employee with the least seniority shall be terminated pursuant to Civil Service rules.

208 - APPOINTMENTS, SELECTION, PROMOTIONS, DEMOTIONS, AND TRANSFERS

Pursuant to the Charter, the City Manager has the authority to select, appoint, promote, demote, transfer, suspend, and remove all employees of the City. All vacancies in the City shall be filled by original selection or appointment, re-employment, promotion, provisional appointment, transfer, or demotion.

Candidate Selection and Appointments

To ensure adherence to applicable City policies, salary practices and Federal law, after the search has been completed, but before an offer is made, the department head is required to consult with the City Manager to determine the appropriate salary and obtain authorization to hire.

After the City Manager's approval, an offer to the candidate that specifies the terms of the employment arrangement may be extended. The Human Resources Department will issue an offer letter to the selected candidate. Applicants accepting offers must sign indicating acceptance and understanding of the conditions of the offer.

The offer letter should be sent immediately to the candidate following the verbal acceptance of the offer for the position. The prospective employee must sign the letter and return it to the Human Resources Department.

Provisional Appointments

Whenever there are urgent reasons for filling a vacancy by appointment or promotion, and there is not a current certified list of persons eligible for appointment, the City Manager may make or may authorize the respective department head to make a provisional appointment to such position. However, no provisional appointment may continue for a longer period than three months.

Promotions

A promotion is assigning an employee from one position to another that has a higher maximum pay rate and a higher rank and/or level of responsibility. Vacancies in positions above the lowest rank in any category in the salary ordinance shall be filled, as far as practical, by promoting employees. Promotions in every case must involve a definite increase in duties and responsibilities and shall not be made merely for the purpose of affecting an increase in compensation.

When an employee in one classification is promoted to a position in another classification, then the rate of pay upon promotion shall be the minimum rate of pay for the higher

position range or the employee's last rate of pay immediately prior to promotion multiplied by 107%, whichever is greater.

However, to maintain equity if an employee's current rate with the 7% increase, is above tenured incumbents in the new position, then the rate of pay upon promotion shall be based on the employee's percentile ranking of the current range. The percentile will then be applied to the top of the range the employee is moving into. The City Manager may determine an appropriate rate of pay if there are extenuating circumstances. No employee will receive less than the minimum rate of pay, nor more than the maximum rate of pay for the pay range to which the new position is classified.

Demotions

A demotion is assigning an employee from one position to another that has a lower maximum pay rate and a lower rank and/or level of responsibility. An employee may be demoted for any of the following reasons:

- because his or her position is being abolished and he or she would otherwise be laid off;
- because his or her position is being reclassified to a higher grade, and the employee lacks the necessary skills to successfully perform the job;
- because there is a lack of work;
- because there is a lack of funding;
- because another employee, returning from authorized leave granted in accordance with the rules on leave, will occupy the position to which the employee is currently assigned;
- because the employee is not performing at a satisfactory level for the position he or she holds;
- because the employee voluntarily requests such and the position to which the employee seeks to be demoted is vacant;
- as a reasonable accommodation when an employee, due to a disability, becomes unable to perform the essential functions of the job; and/or
- as a form of disciplinary action.

When an employee in one classification is demoted to a position in a lower classification, then the rate of pay upon demotion shall be based on the employee's percentile ranking of the current range. The percentile will then be applied to the top of the range the employee is moving into, or shall be a rate of pay specified by the City Manager, but in either case shall be neither less than the minimum rate of pay, nor more than the maximum rate of pay for the pay range to which the lower position is classified.

Transfers

If an employee requests to transfer from one department to another, then both department heads involved, and/or the City Manager must approve of the request before it is processed. Transferring an employee from one position to another without significant change in the responsibility level may be effective:

- when the employee meets the qualification requirements for the new position;
- if it is in the best interest of the City;
- if it meets the personal needs of the employee and is consistent with the other requirements of this rule; and/or
- as a reasonable accommodation when an employee is unable, due to a disability, to continue to perform the essential functions of the job.

An employee who transfers from one City department to another will retain and carry forward all benefits earned, accrued, or both as of the date of transfer. As a general rule, lateral transfers require no increase in compensation.

209 - PROBATIONARY PERIOD August 12 2021 21-40

The probationary period, is an integral part of the examination process and shall be used for:

- closely observing the employee's work; and
- securing the most effective adjustment of a new employee to his or her position; and
- rejecting any employee whose performance does not meet work standards.

The probationary period follows original appointments other than for Police officers and temporary/seasonal employees and is for a period of twelve (12) months. For Police Officers, the 12 month probationary period will begin after graduation from the Police Academy. An employee's probationary period may be extended at the request of the employee's department head in situations where there has not been adequate time to review the employee through no fault of their own. In no event may a probationary period be extended beyond twelve (12) additional months. Probationary periods are neither re-established by promotions, demotions or transfers, nor as a means of discipline in response to unacceptable employee behavior or job performance. During a work period, an employee is required to demonstrate fitness for the position by actual performance. At any time during a probationary period the employee may be dismissed.

During the probationary period, the supervisor will inform the employee when his or her performance is unsatisfactory and not meeting established requirements.

Department heads will report to the City Manager before the employee completes twelve (12) months of probationary employment, as to whether the employee's service has been satisfactory and whether the City should continue to employ the individual.

210 - FIRST DAY OF EMPLOYMENT

After an applicant has been chosen to fill a job vacancy by the department head and has been approved by the City Manager, the new employee shall provide any identifying documents necessary to begin work. Failure to supply the needed information may result in termination of employment.

Employee Orientation

In order for new employees to be successful, it is imperative that they understand the overall environment in which they will be operating. Employees who understand the organization's history, scope of operation, economic goals, and future prospects will identify more readily with the entire organization, and they will develop a sense of belonging more quickly than employees who are left to search out needed information on their own.

Orientation provided by the City for new employees is an opportunity for the City to convey information about the City's philosophy, and style. All new hires are required to attend orientation for new employees provided by their own department and any orientation for new employees provided by the Human Resource Department.

Citizenship and Immigration Status Verification

The City will not knowingly employ any person who is or becomes an illegal immigrant. In compliance with the Immigration Reform and Control Act, all employees originally appointed after November 6, 1986, regardless of national origin, or citizenship, must provide suitable documentation to verify identity and employability. The required documentation must be provided to the City or the individual's offer of employment may be withdrawn and if the employee has begun working, employment will be terminated.

211 - RESIDENCY

Individuals shall be recruited from a geographic area as wide as necessary to assure obtaining well-qualified applicants for the various types of employment positions. Recruitment, therefore, shall not be limited to residents of Columbia.

There is no residency requirement for the City's employee workforce as a whole. Residency within the City of Columbia is encouraged. However, employees should check with their department head to see if there is a residency requirement for employees of their department in order to provide adequate response time in emergency situations.

212 - ATTENDANCE, WORK PERIODS and WORKWEEK

Attendance

Punctual and regular attendance is necessary for the City to operate efficiently. Employees unavoidably late or absent from work due to illness or other causes must notify their supervisor within the time frame established by each department, unless unusual circumstances prevent the employee from making proper notification. Employees must explain the reason for the absence and, if possible, the anticipated time and date they will return to work. Failure to notify one's supervisor of absences may result in disciplinary action. An unauthorized absence from work for a period of three (3) consecutive working days may be considered by the department head as a resignation.

Excessive tardiness is regarded as sufficient reason for dismissal.

Employees found to be intentionally cheating on their time records shall be subject to disciplinary action up to and including dismissal.

Meal Breaks

Meal breaks are scheduled by the employee's supervisor. Meal breaks are unpaid for all employees except for the following employees for whom mealtime is paid:

- shift personnel of the Fire and Police Departments and
- Wastewater Treatment Plant Operation Personnel; and
- employees who, as determined by the department head, are working at remote job sites without practical access to non-City-provided transportation.

Employees should check with their department head or supervisor for more information about and to schedule their unpaid meal break or paid mealtime.

Work Period/Workweek

Employees, except shift personnel of Fire and Police Departments, receive overtime pay for hours worked over 40 in a workweek at a rate not less than time and one-half their regular rate of pay. Overtime pay is not required for work on Saturdays, Sundays, holidays, or regular days of rest, unless overtime is worked on such days.

A work period is the regular and recurring period of time during which compensated time is counted for purposes of determining overtime eligibility. Except for shift personnel of the Fire and Police Departments, the work period for employees of the City is a workweek. Pursuant to the FLSA, a workweek is a regular and recurring period of 168 hours consisting of seven (7) consecutive 24-hour periods and, in the case of the City, begins at 12:00 a.m. on Sunday and ends at 11:59 a.m. on the following Saturday.

For shift personnel of the Fire Department, a work period is 672 hours in duration, consisting of 28 consecutive 24-hour periods, and beginning and ending according to the Fire Department's official schedule for each shift employee. For the City of Columbia, overtime is calculated after an employee exceeds 212 actual hours worked.

For sworn shift personnel of the Police Department, a work period is 336 hours in duration, consisting of fourteen (14) consecutive 24-hour periods, and beginning and ending according to the Police Department's official schedule for each shift employee. Overtime is calculated after sworn personnel exceed 86 actual hours worked.

Upon recommendation of the City Manager and approved by the City Council, employees may be placed on administrative leave at full, partial, or no pay for a variety of purposes, including, but not limited to the fact that it is in the best interest of the City of Columbia, the public at large, public health, control of infectious disease, or other appropriate circumstance as defined by the City Council.

213 - OUTSIDE EMPLOYMENT

Full-time regular employees are not permitted to work outside the City's employ if the outside employment:

- is likely to interfere with the employee's satisfactory performance of his or her duties and responsibilities;
- is incompatible with City employment in any way, including the appearance of any conflict of interest; and
- is likely to cast discredit upon or create embarrassment for the City.

A full-time regular employee who desires to work outside the City's employ is required first to obtain written authorization from his or her department head. Such authorization shall be specific to a certain job with a certain second employer. In the event of conflict between City employment and outside employment, City employment is considered primary and outside employment is considered subordinate.

214 - PHOTO ID CARDS (to be discussed)

Upon employment, employees will be issued a photo identification card. In addition, ID cards may be required to gain access to City facility and buildings. ID cards may be replaced if lost or stolen and must be turned in to the Personnel Department upon termination of employment with the City.

215 - PERFORMANCE EVALUATIONS

Managing employee performance is an integral part of the work that all managers and supervisors perform throughout the year. Performance management is designed to document the expectations of individual and organizational performance, provide a meaningful process and mechanism to improve individual/organizational performance as necessary.

To accomplish these objectives, managers need to identify organizational goals to be accomplished, communicate individual and organizational goals to employees that support the overall strategic mission of the City. The performance of employees will be evaluated and reviewed annually by their immediate supervisors. Evaluations will be discussed with the employees so they will know how they are progressing and what they may do to improve their performance. It is intended that employees will have adequate opportunity to correct any weakness that may interfere with their progress.

Performance evaluations give employees feedback on performance; identify employee training needs, document criteria used to allocate organizational rewards, form a basis for personnel decision such as salary increases, promotions, disciplinary actions, bonuses, etc. They also provide the opportunity for organizational diagnosis and development, facilitate communication between employee and administration and improve performance through counseling, coaching and development.

Evaluations of job-related performance will be conducted according to the following schedule:

New Hire Evaluations

Each employee is to have his or her job-related performance evaluated by his or her respective supervisor and/or department head before completion of six (6) months employment.

Annual Evaluations

Supervisors should document employee performance, both good and when improvement is needed, throughout the year. Doing this will allow the supervisor to provide specific examples to the employee during progress reviews, or at other times throughout the year. Employee is to have his or her job-related performance evaluated by his or her respective supervisor and/or department head annually.

Special Evaluations

Any employee may have his or her job-related performance evaluated by his or her respective supervisor and/or department head outside the normal evaluation schedule

whenever, in the judgment of the employee's department head, such an evaluation is necessary.

As important as these performance evaluations are, they are not meant to substitute for ongoing communication between employees and their supervisors and department heads about performance.

SECTION 300

COMPENSATION and PAY

301 - CLASSIFICATION

Purpose

The Classification Plan, as approved by the City Council, provides a complete inventory of all positions in the City's service and an accurate description for each employment class. The plan standardizes titles, each of which is indicative of a definite range of duties and responsibilities and has the same meaning throughout the City service.

Composition of the Classification Plan

The Classification Plan shall consist of:

- a grouping of classes of positions that are approximately equal in difficulty and responsibility that call for the same general qualification, and that can be equitably compensated within the same range of pay under similar working conditions;
- class titles descriptive of the work of the class that identifies the class;
- written job descriptions for each position; and
- physical standards for performance of the duties of the position.

Use of Class Titles

Class titles will be used in all personnel, accounting, budget appropriation, and financial records of the City. No person will be appointed or employed in a classified position under a title not included in the Classification Plan.

Use of Job Descriptions

Job descriptions will be interpreted in their entirety and in relation to others in the Classification Plan. Particular phrases or examples are not to be isolated and treated as a full definition of the class. Job descriptions are deemed to be descriptive and explanatory of the kind of work performed and not necessarily inclusive of all duties performed.

Use of the Classification Plan

The Classification Plan is to be used:

- as a guide in recruiting and examining candidates for employment;
- in determining lines of promotion and developing employee training programs;
- in determining wages or salaries to be paid for various types of work;
- in determining personal service items in departmental budgets; and
- in providing uniform job terminology understandable by all City officers and employees and by the general public.

302 - ADMINISTRATION OF THE CLASSIFICATION PLAN

The City Manager is charged with maintaining the Classification Plan of the City so that it will reflect the duties performed by each employee in the service of the City and the class to which each position is allocated. It is the duty of the City Manager to examine the nature of the position classes, make such changes in the Classification Plan as are deemed necessary by changes in the duties and responsibilities of existing positions, and periodically review the entire Classification Plan and recommend to the City Council appropriate changes in allocations or in the Classification Plan itself. The City Manager may delegate any or all of these duties and responsibilities to the Human Resource Director.

Allocation of Positions

Whenever a previously unbudgeted position is established the respective department head shall submit in writing a comprehensive job description listing in detail the duties of such a position. The City Manager shall investigate, or shall cause the Human Resource Director to investigate, the actual or suggested duties, and shall recommend to the City Council the appropriate class allocation or the establishment of a new class. The City Council will then consider approving such recommendations.

Request for Reclassification

Any employee who considers his or her position to be improperly classified shall submit his or her request to the immediate supervisor who shall review the justification for the request. If the department head or supervisor finds that there is merit in the request, he or she shall immediately transmit his or her recommendation to the City Manager. If the department head/supervisor finds the request is not justified, he or she shall advise the employee of his or her decision and also the employee's right to forward the request to the City Manager. The City Manager's decision regarding a request for reclassification shall be final and binding and may not be appealed

303 - PAY RANGES AND RATES OF PAY

Use of Pay Ranges

Pay ranges are intended to furnish administrative flexibility in recognizing individual differences among positions allocated to the same class and to provide employee incentives.

The minimum rate established in a class is the normal hiring rate except in those cases where unusual circumstances (such as inability to fill the positions at the hiring rate or exceptional qualifications of an applicant) appear to warrant employing an individual at a higher rate in the pay range. Any department head desiring to start an employee above the minimum must submit justification to the City Manager for approval.

Rates of Pay

The City Manager shall establish all rates of pay paid by the City within the Classification and Pay Plan approved by the City Council. Due consideration shall be given to duties performed, responsibilities, technical knowledge and skills required to perform the work satisfactorily, the labor market, and availability of people having the desired qualifications.

Minimum Wages

In accordance with the Fair Labor Standards Act (FLSA), no employee shall be paid less than the federal minimum wage unless they are expressly exempt from the minimum wage requirement by FLSA regulations.

304 - PAY PERIODS AND PAYCHECKS

The City is on a biweekly pay cycle which begins and ends at 12:00 a.m. on designated Sundays. If employees have questions about their work time, wage or salary, or paycheck, they should bring it to the attention of their department head within the pay period in question or as soon as possible thereafter.

All current employees hired on or after January 3, 1997 are required to have their payroll checks deposited via direct deposit into the financial institution of their choice. Current employees hired prior to January 3, 1997 may choose and are encouraged to participate in the City's payroll direct deposit program.

A separating employee will be issued his or her final paycheck on the regular pay day for the pay period that includes the employee's separation date or the pay period thereafter.

Overpayments and Collections

In the event of an overpayment, notice is sent to the employee by the Finance Department. If the employee is still working for the City and has regularly scheduled pay they may authorize payroll to deduct it from future pay or they can pay it back directly. If the employee is no longer working at the City, a letter will be sent requesting repayment. If payroll is unsuccessful in recouping the overpayment, further collections options may be pursued.

Underpayments/No Payments

Employees should notify their supervisor if they believe an underpayment occurred, or they did not receive a paycheck for monies due them. The payroll office will research the issue. If it is determined that an actual error has occurred, correction will be made.

305 - OVERTIME PAY AND COMPENSATORY LEAVE

Employees who are not exempt from the overtime pay provisions of the FLSA shall be compensated at a rate of one and one-half (1-½) times the employee's regular rate of pay for any overtime work.

- Overtime work for non-exempt employees of the City is any time worked for the City over and above the FLSA overtime threshold. Except for shift personnel of the Fire and Police Departments, overtime is paid for any time worked over 40 hours during the seven-day workweek. Shift personnel of the Fire Department are paid overtime for any time worked in excess of 212 hours per 28-day work period. Shift personnel of the Police Department are paid overtime for any time worked in excess of 86 hours per 14-day work period.
- All leave with pay including workers compensation leave during a particular work period is not included in time worked during the same work period for the purpose of computing overtime.
- Overtime work must be authorized in advance by the employee's supervisor or department head or the City Manager.
- Overtime worked may alternatively be paid with compensatory leave, accrued at a rate of one and one-half (1-½) times the overtime hours worked, according to the employee's preference expressed to his or her supervisor prior to working the overtime and subject to the supervisor's approval. No more than 40 hours (with the exception of 48 hours for fire suppression) of unused compensatory leave may be accumulated by any non-exempt employee.
- Non-exempt employees who perform work after their scheduled work day has ended are required to record the time worked the next day, or as soon as practical.

306 - OUT-OF-RANK PAY

Out-of-rank pay is not paid except under the following circumstances and even then must be authorized in advance by the City Manager and is to discontinue upon resumption of the duties to which the employee was previously appointed and assigned:

If the City Manager chooses to promote an employee on a temporary basis for at least twenty (20) complete and consecutive workdays or shifts, or and only in the case of shift personnel of the Fire Department for nine (9) or more complete and consecutive shifts, to a position with higher rank and status than the position to which employee currently holds and is normally assigned, then the employee will be compensated at a higher rate of pay. Payment will be calculated from the first day of the temporary assignment and will continue through the last day the employee performs work at the higher level. The pay will be equal to the minimum rate of pay for the pay range to which the temporary assignment is classified or his or her current rate of pay multiplied by 107%, whichever is greater, but not to exceed the maximum rate of pay for the temporary position. Any certification and education pay incentives will be added after the acting/temporary rate has been established.

Employees may also be placed in a position that is rated below the current position they are assigned to. When an employee is required to be placed in a lower ranking position for at least twenty (20) complete and consecutive workdays or shifts, or in the case of shift personnel of the Fire Department for nine (9) or more complete and consecutive shifts the employee will be compensated, beginning with the first day of the reassignment, at a rate of pay commensurate with the duties performed and equal to his or her current rate of pay divided by 107%, but not less than the minimum rate of pay for the pay range to which the employee is being assigned. Any certification and education pay incentives will be added after the temporary promotion rate has been established.

307 - CALL-BACK

Non-exempt employees who are called back to work after the normal work shift has ended and after having left the work premises shall be guaranteed a minimum of four (4) hours pay. However, only the actual hours worked will be counted as time worked for purposes of calculating overtime. If the call back occurs less than four (4) hours prior to the start of the normal shift, the employee will be paid for the actual hours worked. No such guaranteed minimum shall be provided to employees who are exempt from the overtime provisions of the FLSA and who are called back to work. Non-exempt employees, who are called and can perform the work remotely, will be paid for actual time worked.

On-Call Time

On-call service is necessary for the proper maintenance and functioning of certain City services. It is the duty and responsibility of each on-call employee to be available by some reliable means of communication at all times. The supervisor or department head shall be responsible for scheduling in advance which employees are designated for on-call duty at any given time, and for determining the maximum permitted time for the on-call employee to reply and/or respond to an emergency call-out.

When an on-call employee is called out, he or she shall receive four (4) hours minimum pay with only the actual hours worked being used for the calculation of overtime.

Non-exempt sworn police officers receive a minimum of two (2) hours pay if they are required to appear in court when they are not regularly scheduled to work (off duty). Only the actual hours worked will count as time worked for the purposes of calculating overtime.

An employee who is on-call and who fails to report for duty at the specified City job site within 60 minutes of receiving notice may be subject to disciplinary action up to and including dismissal.

308 - PAYROLL DEDUCTIONS

By law the City is required to deduct, where applicable, Federal income and payroll tax withholdings, and any duly authorized garnishments. The City will not allow improper pay deductions. Specifically, the following deductions may be made:

Federal Income Tax

Federal income tax withholdings are deducted from employees' paychecks based on the number of exemptions claimed by the employee. Employees are required to file a completed copy of the Federal Internal Revenue Service form W-4 (Employee's Withholding Allowance Certificate"), and to file a replacement form W-4 if and whenever any employee-supplied information becomes out-of-date. In the event of changes in the employee exemption status or in the number of allowances claimed or additional amounts, if any, to be withheld from each paycheck, a revised form W-4 must be filed before payroll deduction adjustments will be made.

Social Security

Social Security payroll tax withholdings will be deducted from employees' paychecks according to the Social Security Act. The Finance Department shall keep such records and make such reports as may be required by applicable State and Federal laws or regulations.

Medicare

Medicare payroll tax withholdings will be deducted from employees' paychecks in accordance with law.

Other Deductions

Other deductions may be authorized from pay only with the employee's signed consent:

Direct deposit is required by all employees hired after January 3, 1997.

309 - EDUCATION PAY INCENTIVE PROGRAM verbiage change August 12 2021 21-40 (5% change pending 2024)

Any employee who has or obtains an under graduate or a graduate degree that is not required in the job description for the employee's current position is eligible for education pay incentive. Only regular, full-time active employees qualify to participate in this program. The education pay incentive program is intended to reward employees who enhance their value to the City by developing their knowledge, skills and abilities.

Education pay incentives are paid and combined with a qualifying employee's base pay following achievement of the degree and submitting a copy of transcripts to the Human Resource Department. To receive education pay, employees must obtain the education from a college or university accredited by an agency recognized by the United States Secretary of Education.

Education pay incentives are paid according to the following table:

Educational Degree Earned	Education Pay Incentive
Associate's (2-year) degree	4% increase in base pay.
Bachelor's (4-year) degree	Additional 4% increase in base pay or, if 2-year degree not previously awarded, 8% increase in base pay.
Post-bachelor's graduate degree (Masters)	Additional 5% increase in base pay.

No more than one same-level advanced education degree per employee will be recognized by the City at any particular time.

Certifications

Employees upon achieving certification from the State of Tennessee will receive the following:

Certification Earned	Pay Incentive
Plant Operator 2	3% increase in base pay.
Plant Operator 3	4% increase in base pay
Plant Operator 4	5% increase in base pay.
Collection Grade 1	3% increase in base pay.
Collection Grade 2	5% increase in base pay.
Paramedic	\$4500 per year increase in base pay.
Bomb Certification	\$1500 per year increase in base pay

Building Inspector	4% increase in base pay.
Traffic Signal Technician	2% increase in base pay.
Certified Pool Operator	3% increase in base pay
Certified Playground Safety Inspector	3% increase in base pay
Certified Park Recreation Professional	5% increase in pay

Employees will only receive pay for one certification if the employee has obtained multiple certifications.

The City Manager may authorize payment for other job related certifications. Depending on the certification involved, employees will receive an increase between 2% and 5%.

310 – LONGEVITY PAY August 12 2021 21-40

The City has a longevity pay plan that provides annual payments to active, full-time employees as a reward for their service to the City. Longevity pay is paid annually and is calculated at the rate of \$100 for each year of eligible service (\$50 for each year of eligible service before July 1, 2021). To be eligible, an employee must complete two full years of service and be in their third year of employment. Employees receive longevity payment when reaching their third year of employment. At that time, they will receive payment for their three years of service. Employees who were hired prior to July 1, 2021 will receive the \$100 beginning in the calendar year 2022 and subsequent years thereafter. Time of service before July 2021 will be calculated at \$50 for each year of eligible service. Employees who were hired by the City before January 1, 1990, for whom longevity pay after years of 30 through 39 will be paid at \$3,000. The cap for longevity pay is \$3,000.

Longevity payments are made by a separate payroll check and are distributed by the end of the January each year. The dollar value of longevity pay is considered wage or salary compensation for purposes of calculating income taxes and retirement

311 – TELEWORK August 12 2021 21-40

For some positions at the City, working from home or telecommuting may be possible. Telecommuting can be a privilege, or a necessity, or a combination of both, depending upon the circumstances. No particular positions have been designated as "telecommuting positions;" rather, certain positions may from time to time be suitable for performance outside the workplace, and in such a case, management may allow all or part of the duties of the position to be performed away from the office on a temporary or ongoing basis. However, no such arrangement is promised or guaranteed, and no particular duration of telecommuting is guaranteed.

If telecommuting is allowed for a position, it will last as long as it is appropriate. Such arrangements must be set forth in writing and signed by both the employee and the supervisor. Supervisors may terminate the telecommuting agreement or policy at its discretion. Sound telework agreement should include language requiring remote workers to maintain a safe work environment and ask them to specify an area—whether it's a room or a space within a room, such as a dining room table—that is their designated workspace. . It is highly recommended that telecommuting sites not be used as meeting venues nor for deliveries.

If granted, the supervisor and the employee will work out the arrangement as it pertains to when an employee should check in for voice-mail and email messages, come in to attend meetings in person, or attend meetings via conference call. Supervisors may require employees to report to their regular workplace as needed for work-related meetings or other events or may meet with employee in the alternate work location as required to discuss work progress or other work related issues.

It is the City's desire that telecommuting be seamless for other employees at the office and to the public; therefore it will be mandatory that the telecommuting employee forward their desk phone to a phone accessible at the telecommuting site. Work performance with telecommuting will be reviewed and addressed as issues arise.

Telecommuting assignments do not change the conditions of employment or required compliance with policies, including policies in relation to what files may be removed from City premises for telecommuting purposes and what measures should be taken to protect those documents. Workers' Compensation will only be responsible for injuries that happen in the home office and is restricted to times when the employee is performing authorized work.

Telecommuting is not intended to serve as a substitute or replacement for child or adult care. If children or adults in need of primary care are in the alternate work location during employees' work hours, some other individual must be present to provide the care. Telecommuting is also not intended to be used in place of Paid Time Off.

Telework will be approved on a case-by-case basis for the following:

- Inclement weather;
- Doctor appointment;
- Special work assignments;
- An employee has a short-term need for uninterrupted time to complete work on a complex project or report;
- Employee is recovering from illness or an injury and is temporarily unable to physically report to the traditional office.

EQUIPMENT

Employees will be provided office supplies limited to basic supplies taken from the supply-room such as paper, pencils/pens, highlighters, post-it notes, paperclips and folders. Otherwise employees are expected to furnish their own office space and other supplies. Included in the telework agreement will be requirements for connectivity, equipment (e.g. computers, scanners, phones, etc.) the City will provide commensurate with the needs of the employee to perform the essential functions of their position and telework successfully. The City WILL reimburse employees for business-related long distance calls or faxes made from their personal telephone lines/cell phones. The City of Columbia will not assume responsibility for the cost of personal equipment, repair, or service. Nor will the City assume responsibility for operating costs, home maintenance, or other costs incurred by employees for the use of their homes as telecommuting work locations.

Except in instances of cloud-based applications, employees approved for the telework program shall only use city-issued and approved computers and associated equipment via the city's VPN (Virtual Private Network) for safety and security of city systems. It is advised that the practice of forwarding phone calls to personal phones is highly discouraged as they then become subject to public records laws. An employee forwarding their work phone to a personal phone accepts responsibility for the potential consequences of that action.

SUPERVISORS

When implementing the telework program, managers should keep in mind that performance standards for teleworking employees must be the same as performance standards for non-teleworking employees. Also, management expectations for performance should be clearly addressed in an employee's telework plan. When an employee participates in telework, expectations related to accountability do not differ by virtue of the telework arrangement. Following clear and consistent performance management principles and techniques should result in a seamless transition for managers and their employees moving to telework arrangements. Supervisors will need to determine how employees who telework will communicate with one another and with management to accomplish work and how time and attendance will be maintained.

Employee should be asked to describe what their work space will be like (spare bedroom, kitchen table, etc.) and whether they have any concerns or special requests.

Any additional equipment that is required for an employee to telework will need to be budgeted in the department's budget. Reimbursement for office furniture and supplies; items such as desks, chairs, computer hardware and other durables that the City buys for employees' home office areas are City property. They should be marked with asset tags, and employees must agree to surrender them if they are terminated or when they return to their City office.

In making decisions about which positions are appropriate to designate or approve for telecommuting, supervisors will analyze the duties of positions and how the work is performed. Employees must also have and maintain a minimum of "Exceeds Expectations" or higher in their annual review when applying for telecommuting and to continue telecommuting.

Generally, the following types of positions may be appropriate for telecommuting:

- Require independent work;
- Require little face-to-face interaction with staff or the public;
- Require concentration;
- Result in specific, measurable work products;
- Can be monitored by output.

In making decisions about which employees are designated or approved for telecommuting, Supervisors will review the work qualities of employees, in addition to ensuring that their positions are appropriate for telecommuting. Generally, employees who are successful in telecommuting:

- Are able to work productively on their own;
- Are self-motivated and flexible;
- Are knowledgeable about the job;
- Have a low need for social interaction;
- Are dependable and trustworthy;
- Have above average performance records;
- Are organized;
- Have good communication skills

ADA CONSIDERATIONS

Supervisors should contact Human Resources in cases where telecommuting may be an accommodation for an employee who qualifies under the Americans with Disabilities Act. Some considerations might include:

- The employer's ability to supervise the employee away from the workplace;
- If the essential functions of the position can be performed from home;
- Whether any duties require use of certain equipment or tools that cannot be replicated at home;
- Whether there is a need for face-to-face interaction and coordination of work with other employees;
- The employee deals with sensitive data that must remain at the worksite;
- Whether in-person frequent interaction with outside colleagues, clients, or citizens is necessary and cannot be done remotely;
- Whether the position in question requires the employee to have immediate access to documents or other information located only in the workplace.

EMPLOYEE RESPONSIBILITIES:

- Employees must maintain a current telework agreement detailing any emergency telework;
- Employees must keep accurate time records by logging in and out electronically.
- Employees must maintain an internet provider with enough broad band to accommodate all software, programs, modules, etc. that the employee would use not telecommunicating;
- Responsibilities specified for a continuity and/or pandemic event, as appropriate;
- Employees may be assigned other duties and be willing to perform all duties assigned to them by management even if outside your usual or customary duties;
- Employees must take responsibility for the security of the data and other information they handle while teleworking;
- Noncompliance with OSHA regulations may result in the discontinuation of the telecommuting agreement

Note: The City encourages telecommuting employees to notify their homeowners insurance carrier of their telecommuting arrangement. They may want to have the carrier issue an endorsement allowing for limited use of the home for commercial purposes. Any additional cost incurred for the insurance rider or endorsement will be at the expense of the employee.

SECTION 400 BENEFITS

401 - VACATION LEAVE

The following vacation leave program is a benefit provided to active employees that are full-time and regular. Regular, full-time employees start earning vacation upon hire.

Years of Employment	Full Time Regular Employees (2080 hours)		Police 12 hour shift Based on 2236 hours		Fire Suppression Based on 2764 hours	
	Annual Maximum	Bi-weekly Accrual	Annual Maximum	Bi-Weekly Accrual	Annual Maximum	Bi-weekly Accrual
0-5	80	3.08	94.33	3.63	120	4.62
6	88	3.38	102.33	3.94	129.6	4.98
7	96	3.69	110.33	4.24	139.2	5.35
8	104	4	118.3	4.55	148.8	5.72
9	112	4.31	126.33	4.86	158.4	6.09
10 and 11	120	4.62	134.33	5.17	168	6.46
12 and 13	128	4.92	142.33	5.47	177.6	6.83
14 and 15	136	5.23	150.33	5.7	187.2	7.2
16 and 17	144	5.54	158.33	6.09	196.8	7.57
18 and 19	152	5.85	166.33	6.4	206.4	7.94
20 and 21	160	6.15	174.33	6.71	216	8.31
22 and 23	168	6.46	182.33	7.01	230.4	8.86
24 and 25	176	6.77	190.33	7.32	244.8	9.42
26 and 27	184	7.08	198.33	7.63	259.2	9.997
28 and 29	192	7.38	206.33	7.94	276.6	10.52
30 and above	200	7.69	214.33	8.24	288	11.08

Vacation leave is accrued bi-weekly. Accrued vacation leave may not be used until after the pay period during which it is accrued. Employees may not borrow against future vacation leave.

Employees who accrue vacation leave may not carry over from one **calendar year** to the next an accumulated balance of unused vacation leave greater than **240 hours (257.33 sworn police, 341.15 for Fire Suppression employees)** unless specifically authorized by the City Manager in writing upon and the favorable recommendation from the department head.

Shift personnel of the Fire Department may not utilize vacation leave in less than 12 hour increments, and shift personnel of the Police and Wastewater Departments may not utilize vacation leave in less than half-shift increments, unless specifically authorized to do so by their respective supervisor or department head.

The use of vacation leave is to be scheduled as far in advance as possible for the mutual convenience of the employee and the City for planning purposes, and may not be taken unless authorized by the employee's supervisor or department head.

Department heads and supervisors preparing vacation leave schedules shall give choice of dates according to seniority of the personnel in their respective departments, in a manner approved by the department head.

An employee who accrues vacation leave and who is separating employment from the City shall be paid for any accrued but unused vacation leave.

Employees will not receive payment in lieu of vacation leave, except when there is a permanent separation from employment.

Employees in un-paid leave status will not accrue vacation when they have not been at work for at least 30 calendar days.

An employee who accrues vacation leave may not transfer earned vacation leave to another employee.

Any service in the Tennessee National Guard, State Militia, or Military Reserves in excess of the State mandated allowance in any calendar year may be charged as vacation leave at the option of the employee.

402 - SICK LEAVE August 12 2024 21-40

The following sick leave program is a benefit made available to active full-time regular employees. Such employees shall accrue sick leave in accordance with the following table:

Active, full-time regular employees	Amount of sick leave accrued per year	Hours of sick leave accrued per 2-week pay period (rounded)
OTHER THAN shift personnel of the Police, Fire and Plant Operators of Wastewater.	12 days (96 hours)	3.692
Plant Operators	12 days (120 hours)	4.62
Sworn Personnel of the Police Dept.	12 days (144 hours)	5.538
Shift Personnel of the Fire Dept.	6 shifts (144 hours)	5.538

Employees who have accrued sick leave become eligible to utilize sick leave under any of the following circumstances:

- The employee is incapacitated by a non-City-job-related sickness, illness or injury;
- Employees who take time off for the regular birth or adoption of their child are limited to 10 days sick leave unless other medical conditions exist.
- The employee may jeopardize the health of others because he or she has been exposed to a contagious disease;
- The employee (other than shift personnel of the Fire Department not on duty), seeking non-emergency medical, dental, or optical diagnosis and/or treatment;
- The employee is providing necessary care and attendance of a member of the employee's immediate family. Immediate family is defined as an employee's spouse, children (son or daughter), and parents or any other individual who stood in loco parentis to the employee when the employee was a child. In Loco, Parentis includes those in the role of a parent with day-to-day responsibilities to care for or financially support a child. The term "parent" does not include a parent "in-law." The terms son or daughter do not include individuals age 18 or over unless they are "incapable of self-care" because of a mental or physical disability that limits one or more of the "major life activities" as those terms are defined in regulations issued by the Equal Employment Opportunity Commission (EEOC) under the Americans With Disabilities Act (ADA). The employee also must provide written documentation from a health care provider to his /her supervisor or department

head and the Human Resource Department when the absence is more than five (5) days or when there is a pattern of abuse; or

- Immediate family member can be a partnership in which two people live together and are in a committed relationship without being legally married
- The employee, with the advance permission of his or her department head chooses to supplement bereavement leave or funeral leave.
- Sick leave shall be accrued on a weekly basis. Sick leave may not be used until after the pay period during which it is accrued. Employees may not borrow against future sick leave.
- Employees who accrue sick leave may accumulate unused sick leave only up to the maximum permitted accrual shown in the table above.
- An employee cannot receive sick leave pay from the City if employed and working for another employer or if self-employed performing work for the employee's business at the time sick leave is requested; unless approval for an exception to this policy is granted by the City Manager.
- Employees who accrue sick leave and have been off work for at least 30 days will stop accruing sick leave at the end of the pay period in which all paid time off has been exhausted
- Employees who accrue sick leave may not transfer accrued sick leave to another employee, except by means of the City's sick leave donor program (See Sick Leave Donation Policy).
- In order to use sick leave, employees must notify their supervisor or department head as soon as possible of their intended absence. The employee also must provide his /her supervisor or department head and the Human Resource Department that the requested use of sick leave is legitimate when the absence is more than five (5) days or when there is a pattern of abuse. In addition, a return to work document stating that he/she is medically able to return to work without undue risk to him/herself or others may be required.
- Each day deducted from an employee's sick leave accumulation shall be for a regular workday and shall not include holidays and scheduled days off.
- Sick leave days for which compensation is due and payable under this section are defined as those days that an employee is regularly scheduled to work.
- No sick leave shall be paid for time lost due to the use of alcohol or to drug abuse except when an employee is receiving treatment in an approved substance abuse treatment facility.

Employees are **encouraged** to think of sick leave as earned-income insurance for occasions when they are unable to report for work for one of the reasons listed above rather than for relatively minor medical conditions. Effective January 1, 2004, as an incentive not to use sick leave and a reward for attendance on the job, an employee separating from the City by means of any type of retirement under the City's retirement plan shall have all then-accrued-and-unused sick leave, up to the maximum permitted

accrual shown in the table above, credited as additional time worked (what is called "credited service" in the City's Employees' Retirement Plan) when calculating the employee's retirement benefits.

Employees hired after July 1, 2012, and vested in the defined contribution plan upon separation from employment shall receive 50% of accrued sick leave paid into the 401(a).

Should it become apparent to the City Manager that an employee on sick leave will be unable to return to unrestricted duty by the time he or she has exhausted all forms of leave for which he or she qualifies, and no comparable position for which the employee is qualified is available, then the City may be forced to dismiss the employee but only under either of the following conditions:

- if he or she cannot perform the essential functions due to a disability that cannot reasonably be accommodated; or
- if he or she poses a direct threat to himself or herself and/or others.

403 - SICK LEAVE DONOR PROGRAM (remains the same)

Leave donation programs, are a popular method of addressing the medium-to-long term financial needs of employees who are seriously ill or injured off the job.

The purpose of this policy is to establish criteria and standards for the donation of accrued sick leave to a sick leave pool in order to cover absence of a qualifying employee necessitated by illness or injury of the eligible employee.

Participation in the sick leave donor program is open to all employees who accrue sick leave and have donated the required hours to be eligible. The purpose of the program is to assist those employees who have a long-term, terminal, mental, and/or non-City-job-related accidental illness or injury that results in the exhaustion of their own accrued leave with pay by providing them with additional sick leave.

For a plan to be considered what the IRS characterizes as a “bona-fide employer-sponsored (medical) leave-sharing arrangement,” the plan should:

1. Be in writing and be administered by the employer.
2. Be created as a leave bank or pool for employees to deposit donated leave, and from which, leave will be distributed to recipients who have a personal medical emergency.
3. State that employees should be eligible to receive leave only after their request has been approved and all other available paid leave has been exhausted.
4. Specify that leave is to be used only for medical emergencies. The plan should restrict these medical emergencies to major illnesses or medical conditions of employees that require extended absences. Under IRS regulations, employer plans may also include extended time off following the loss of a spouse, child or parent.
5. Outline and specify limits on the amount of leave that may be donated by an individual in any given year.
6. Have a detailed procedure in place for employees to submit a written request for leave that describes the specific medical emergency or medical condition.
7. Have processes in place to confirm that all leave transferred under the plan is actually being used for medical leave by the recipient.

Becoming A Member

An initial donation of eight (8) hours, twelve (12) for fire suppression employees of sick leave hours is required to establish membership in the pool. A member must have a minimum of forty (40), sixty (60) for suppression fire employees remaining after their donation at the time of enrollment. The donation of sick leave is strictly

voluntary; however, in order to receive donated sick leave an employee must be a member of the pool. Employees will be given the opportunity to become members annually during open enrollment for benefits. Any participating employee may request to withdraw from the pool during open enrollment. All requests for withdrawal from the Sick Leave Pool must be made in advance of anticipated use of leave. New benefit eligible participants will be eligible to become a member and may join the pool at the next open enrollment after they have accumulated at least forty eight (48) hours, 72 hours for fire suppression employees of Sick Leave. Members of the pool may not specify who will receive donated leave. At the end of any fiscal year, all Sick Leave Pool balances are carried forward to the next year.

Recipient Eligibility

Members may utilize donated leave when they have exhausted all available accrued paid time off and their care requires continuing treatment or supervision by a licensed health care provider, and also requires absence from work of at least five days per illness or episode.

- . The employee or immediate family member must:
 - Provide a completed Family Medical Leave Act Certification of Health Care Provider for Employee's Serious Health Condition form from a licensed physician for a serious medical condition; or
 - Be in quarantine due to exposure to a contagious disease.

Application to Receive Donated Sick Leave

An eligible employee may request donated leave by submitting a written request form and physician's certification to the Human Resources Department. If an employee is incapacitated, a family member or designee may request leave from the Sick Leave Pool on the employee's behalf.

The Human Resources Department, will be responsible for guarding the privacy of sick leave pool recipients. Communications will be kept confidential between all parties. The administration of the policy and approval of Sick Leave Pool withdrawals are the responsibility of the Personnel Department and are based on the information provided on the Family Medical Leave Act Certification of Health Care Provider for Employee's Serious Health Condition form.

The hours allocated to an employee will be determined by the FMLA form completed by the physician, with a 1,000 maximum, 1,350 for suppression employees' amount of hours available during a calendar year.

In the event of a chronic illness or injury requiring episodic treatment (dialysis, chemotherapy, radiation therapy and physical therapy), the recipient may use donated leave in non-consecutive increments.

A participating employee receiving sick leave days from the pool will not accrue additional leave of any kind or be paid for any holiday for those days.

Review Process

The Personnel Director will review the FMLA physician's response within 5 business days of receipt of request.

Notification of Approval/Denial

The Personnel Director will notify the applicant and then Payroll if request is approved. Donated sick leave will be paid at 100% of the receiving employee's current rate of pay.

If the request is denied, the Director will notify the applicant with reason for denial. An appeal may be made to the City Manager if the reason for denial was not based on the 12 month period being exhausted. In the case of an appeal, all information will be submitted to the City Manager who will then make a final decision. The decisions of the City Manager shall be final and binding and will not be subject to the City's grievance procedure or litigation.

If the member is released to return to work prior to the expected date, the unused days will remain in the pool.

Donor employees may not claim an expense, a tax deduction or a charitable contribution for any of the leave donated under the pool. All paid leave granted to the recipient is considered wages and is subject to appropriate tax withholding.

Conditions or Circumstances that do not Qualify for Receipt of Donated Sick Leave

Employees may not receive donated sick leave in the following circumstances:

- Any occupationally related accident or illness which is compensable under Workers' Compensation benefits;
- Disability incurred in the course of the commission of a crime;
- During the period of any disciplinary suspension;
- While receiving the City's Long Term Disability, or Social Security Income (SSDI),
- While serving in the United States military services.

Policy Definitions:

Incapable of self-care	Requiring active assistance or supervision to provide daily self-care in three or more basic or instrumental "activities of daily living." Such as grooming, and hygiene, bathing, dressing, eating, cooking, taking public transportation, etc.
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- Physical or mental disability One that substantially limits one or more major life functions as defined under the American with Disabilities Act as Amended.
- Serious medical condition A health condition involving a serious illness, injury, impairment, or condition that is likely to require the employee's absence from work for an extended period of time longer than the amount of paid time available to the employee, and the health condition is such that it is not medically appropriate for the employee to delay the absence in order to accrue additional paid time off prior to the absence. Some examples of such conditions include: advanced or rapidly growing cancers, acute serious illnesses, chronic life threatening conditions involving failure of bodily organs or system (e.g., heart attack) or chronic conditions requiring extended rehabilitation such as back surgery. The absence may be continuous, as in hospitalization following surgery or an accident, or intermittent, as in period absences for chemotherapy or other procedures.

404 - LIGHT, LIMITED OR MODIFIED DUTY ASSIGNMENTS

To help reduce workers' compensation and other related costs, and to assist employees who are incapacitated in their return to work, the City may, at its sole discretion, offer temporary light-duty job assignments for employees with temporary work-related restrictions due to an illness or injury. Employees who wish to return to work with temporary restrictions due to injuries or illnesses should, if desired, contact their supervisors about light-duty assignments.

Light-duty assignments under this policy are temporary job assignments for employees injured or otherwise incapacitated. Such light-duty assignments are temporary assignments only, are not vacant or permanent positions within the City's workforce, and are not available to employees on a permanent basis under any circumstances. The availability of such light-duty assignments depends on the employee's restrictions and the business needs of the City. The existence of this light duty policy does not in any way guarantee that light duty will be available at any given time, or for any particular employee who requests it.

In most cases, some temporary modification of duties can be made for an employee that would allow them to return to work in a limited capacity, subject to his/her medical restrictions. Temporary restructuring may include modification of essential or non-essential functions of the job, limitation of working hours, changes in working conditions, or physical modification of the work place. Non Workers Compensation temporary assignments are limited in duration to 45 days.

If at any point an employee is medically determined to have sustained permanent restrictions, the creation or continuation of a temporary light duty assignment will not be considered. In that event, the City will review the employee's situation separately, to determine the appropriate steps to be taken, if any, under the Americans with Disabilities Act, other applicable law, and other relevant City policies.

Reasonable Accommodation

Reasonable accommodation is the modification or adjustment to a job, the work environment, or the way things are usually done that enables a qualified person with a disability or injury to enjoy equal employment opportunity.

It is expected that most requests for reasonable accommodation will involve existing employees who have become disabled, through an injury or illness. The most common request will include the restructuring of jobs or tasks within a job, reassignment to a vacant

position in another classification, modification of the existing work site, or acquisitions of special equipment and devices.

A common request of a worker upon return to work after an extended absence may be for a complete job reassignment. While it is preferable to consider other accommodations that will enable the employee to return to his/her customary job, if this is not feasible, the City may seek to move the employee into another job classification for which the employee is qualified. This position may be at the same rate of pay, or a lower rate of pay.

Americans With Disabilities Act (ADA)

The ADA protects qualified individuals with disabilities from employment discrimination. The ADA has a three-part definition of "disability." This definition reflects the specific types of discrimination experienced by people with disabilities. Therefore, it is not the same as the definition of disability in other laws, such as workers compensation. Under the ADA, a person with a disability is a person who has (a) a physical or mental impairment that substantially limits one or more major life activities, or (b) a record of such impairment, or (c) is regarded as having such impairment.

A physical impairment is defined by the ADA as "any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin and endocrine."

A mental impairment is defined by the ADA as "any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities."

To be a disability covered by the ADA, impairment must substantially limit one or more major life activities. These are activities that an average person can perform with little or no difficulty, such as walking, breathing, seeing, hearing, working, etc.

Whether an injured worker is protected by the ADA depends on whether or not the person meets the ADA definitions of an "individual with a disability." Work related injuries do not always cause physical or mental impairments severe enough to "substantially limit" a major life activity.

Also, many on-the-job injuries cause non-chronic impairments which heal with little or no long-term or permanent impact. Such injuries, in most cases, are not considered

disabilities under the ADA. The fact that an employee is awarded workers' compensation benefits, or is assigned a high disability rating, does not automatically establish that this individual is protected under the ADA.

What the Law Requires

To be protected by the ADA, an individual with a disability or an injury must be qualified for the job that he/she is seeking. Qualified means that the person "satisfies the requisite skill, experience, education and other job-related requirement of the employment position such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such a position."

The key component of the definition, with regard to injured workers, is the ability to perform the essential functions of the position, with or without reasonable accommodation. Therefore, an injured worker may be protected under the law, if he/she can continue to perform the essential functions of the job with some type of reasonable accommodation.

What the Law Does Not Require

The ADA does not require that the City accommodate an injured employee by reassigning the essential functions of his/her job to another employee -- even if the injured worker requests such an accommodation. The ADA also does not require that an employee be reassigned to another position in order to provide him/her with a job, especially if the employee is not qualified to perform the new job.

The ADA and Workers' Compensation Laws have totally different purposes. Sometimes those purposes intersect, but they are by no means congruent. In some cases, the laws may conflict.

405 - HOLIDAY LEAVE August 12 2024 21-40

For full-time regular employees, the City recognizes the following twelve (12) fixed holidays:

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
Good Friday	Friday before Easter Sunday
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving	Friday after the fourth Thursday in November
Christmas Eve	December 24
Christmas	December 25

Whenever a holiday recognized by the City falls on a Saturday, it shall then be observed by the City on the preceding Friday. Further, when a holiday recognized by the City falls on a Sunday, it shall then be observed by the City on the following Monday. Whenever December 24 (Christmas Eve) falls on a Friday and December 25 (Christmas Day) falls on a Saturday, and whenever December 24 (Christmas Eve) falls on a Sunday and December 25 (Christmas Day) falls on a Monday, then in both cases the City shall observe these two holidays on the Friday and Monday closest thereto.

Active employees, except shift personnel of the Fire, Police and Wastewater Departments, shall be excused from work-related duties whenever holidays recognized by the City are observed.

Active shift personnel of the Police and Wastewater Departments, who are full-time regular, may be scheduled to work pay periods that include the observation of fixed holidays recognized by the City in accordance with departmental policies, procedures and practices. If such an employee is authorized and directed to work a routine shift that overlaps any time the City observes as a fixed holiday, then he or she shall be paid for that shift, and shall either be assigned during the same calendar year, in lieu of the fixed holiday, an alternate shift off with pay, or be paid, in lieu of the fixed holiday, with the appropriate number of hours worked 10 Wastewater and 12 Police) hours of holiday pay

during the same work period in which the holiday is observed, also in accordance with departmental policies, procedures and practices.

Fire suppression employees who are scheduled to work a holiday recognized by the City will receive their regular pay for the scheduled shift. In addition, all fire suppression employees will be paid 12 hours holiday pay during the pay period in which the holiday occurs.

In addition to the twelve (12) fixed holidays recognized annually by the City as listed above, the City grants to full-time regular employees two (2) floating holidays annually. These two (2) floating holidays shall be credited to full time regular employees upon employment and at the beginning of each calendar year thereafter. Each floating holiday equals eight (8) hours of holiday leave for each qualifying employee, except for shift personnel of the Fire Department, Police Department and some Wastewater personnel. Firefighters and sworn Police who normally work a twelve (12) hour shift will receive twelve (12) hours, and Wastewater employees who are regularly scheduled a ten hour (10) hour work shift will receive ten (10) hours pay. Fire Suppression employees will need to request the time off, or specify on the timekeeping system that they are requesting pay for the floating holiday. Eligible employees may arrange to utilize their floating holidays in the same manner as vacation leave except that accrued unused floating holidays may not be carried over from one calendar year to the next nor taken in hourly increments. Accrued but unused floating holidays will be paid upon termination. Employees who terminate and are re-hired within the same calendar year will not receive more than two floating holidays in the year.

Based on operational and scheduling needs and requirements of the Police Department, sworn officers may be allowed to receive time off and pay for a holiday prior to the holiday occurring.

Full-time regular employees must be in paid status the day before the holiday and the day following the holiday to be eligible for holiday pay.

406 - EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City provides an employee assistance program where employees, spouses and dependents may choose to obtain confidential counseling and other services. An employee assistance program (EAP) is an employer-sponsored benefit that is designed to assist in the early identification and resolution of workplace productivity problems work/life balance, supervisor and employee training, substance abuse assessment and treatment services, management consultation and legal assistance. These include, but are not limited to: health, relationship issues, family problems, financial concerns, alcohol and drug issues, legal issues, emotional problems, grief and stress.

The employee's right to privacy, records and discussions regarding the nature of personal problems will be handled in a highly confidential manner. Client records will be kept at the offices of the EAP administrator and the contents will be released only upon the employee's written permission.

However, supervisors may make mandatory referrals when the employee's job performance is affected. If this occurs, the employee will sign an agreement that will allow the City to obtain information on treatment and progress to aid the supervisor in making decisions related to the employee's ability to perform the job and/or return to work.

Information about how to contact the City's EAP is available from supervisors, department heads and the Human Resources Department.

407 - GROUP HEALTH INSURANCE PROGRAM August 12 2021 21-40

Active employees who are full-time regular, elected officials of the City, the City Manager, the City Judge and the City Prosecutor, all are offered primary health insurance coverage through the City's group health insurance program. Vision and Dental coverage may also be provided. For all employees and officials eligible to participate, the City Council makes a determination during the budget process on funding.

Employees hired on or after July 1, 2019 who have a family member that also works for the City, will be enrolled based on the rate the City is charged for the appropriate tier the employee is being enrolled in. Employees will be credited the current amount the City is contributing for an employee and then based on the chosen enrolled status of dependents, they will also be credited the amount the City provides for the tier the employee is enrolled in. If there is a balance on the actual premium that the City is charged after the City contributions have been applied, the employee will be responsible for that balance. This payment method will ensure that the family is properly enrolled and that the employee will be charged the correct deductibles and out of pocket maximums based on the enrollment.

Eligible participants who continue working past the age of Medicare eligibility have the option of continuing coverage under the group plan or withdrawing from coverage under the group plan and choosing coverage under the Federal Medicare system, assuming all other Medicare eligibility conditions have been met.

Employees may choose to waive their Medical and/or Dental coverage if they can demonstrate that they have other group coverage. After signing a waiver, of the Medical Insurance coverage, the City will pay the employee a stipend determined by the City Manager, for each month the coverage is waived. This payment will be made in December of each year for the months the employee was not enrolled in the City's group medical plan(s).

For Employees hired prior to July 1, 2012, upon retirement a group sponsored Medicare plan is provided. However, if the employee does not enroll in the City sponsored plan, they will not be eligible to receive this benefit in the future.

408 - CITY PROVIDED ADDITIONAL BENEFITS August 12 2021 21-40

Active employees who are full-time regular are provided with basic Life/Accidental Death and Dismemberment (AD&D) insurance coverage through the City's group Life/AD&D Insurance Program.

Long-Term Care Insurance

Long-term care benefit is intended to provide care in the event of a long-term illness or a chronic condition. Long-term care insurance will help ensure financial resources are in place should an employee require extended care at home, in an assisted living facility or nursing home. Two years of full time employment is required to be eligible for this benefit.

Long-Term Disability Insurance

Long-term disability pays a full-time regular employee a percentage of their monthly earnings if they become disabled. The gross monthly benefit is 60% of base pay after 180-day elimination period and after sick leave is exhausted. The benefits are offset with other continuation benefits (see insurance certificate for details). The maximum benefit duration is to age 65 or to the age the employee reaches their full retirement age.

Other Optional Employee Benefits

The City offers other employee benefits that are optional to the employee and available at the employee's own expense. Employees may purchase from vendors additional insurance coverage and options. Premiums for optional coverage shall be deducted from the respective employees' paychecks.

Pursuant to Federal law the Consolidated Omnibus Budget Reconciliation Act (COBRA), the City offers eligible participants (including dependents) in the City's group health insurance programs the opportunity to extend, at their own expense, their health insurance coverages temporarily in certain instances, called "qualifying events," in which coverage under the group health plan would otherwise terminate. An administrative processing fee of up to two percent (2%) may be added to the premium by the COBRA administrator.

Qualifying Events for Employees

- Voluntary or involuntary termination of employment for reasons other than gross misconduct.
- Reduction in the number of hours of employment below plan eligibility requirements.

Qualifying Events for Spouses

- Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct.
- Reduction in the hours worked by the covered employee below plan eligibility requirements.
- Covered employee's becoming entitled to Medicare.
- Divorce or legal separation of the covered employee.
- Death of the covered employee.

Qualifying Events for Dependent Children

- Loss of dependent child status under the plan rules.
- Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct.
- Reduction in the hours worked by the covered employee below plan eligibility requirements.
- Covered employee's becoming entitled to Medicare.
- Divorce or legal separation of the covered employee.
- Death of the covered employee.

If separation or reduction in hours is the qualifying event that triggers continuation coverage, then it can be in effect for up to 18 months. All other qualifying events will trigger continuation coverage that lasts up to 36 months.

Employees and family members have the responsibility to inform the Plan Administrator about any change in status. Failure to do so may terminate rights to continued coverage. Those eligible for COBRA coverage have 60 days from the date they would normally lose coverage to elect to continue under the COBRA provision.

410 - RETIREMENT PROGRAM August 12 2021 21-40

Defined Benefit Plan (Pension)

Employees hired before July 1, 2012 participate in an employer-sponsored defined benefit retirement plan where benefits are allocated based on a formula using factors such as salary history and duration of employment. Investment risk and portfolio management are entirely under the control of the City.

It is 'defined' in the sense that the formula for computing the employer's contribution is known in advance. The formula used is based on the employee's final salary. Under this formula, benefits are based on a percentage of average earnings during a specified number of years at the end of a worker's career.

Defined Contribution Plan (401(a))

Employees hired on or after July 1, 2012 participate in a 401(a) defined contribution retirement plan. The amount of the City's annual contribution is specified by City Council. Individual accounts are set up for participants and benefits are based on the amounts credited into these accounts (through employer and employee contributions) plus any investment earnings. Only City contributions are guaranteed, not future benefits. Employees contribute a predetermined portion of his/her earnings to an individual account, a portion of which is matched by the City.

Vesting Provisions

Vesting is the conveying to an employee of unconditional entitlement to a share in a pension fund or defined contribution plan. Employees are vested when they have participated in the 401(a) plan for five years.

Elective Contributions

In addition, employees may participate in a 457 plan which is a non-qualified plan that provides a tax advantage on deferred compensation. Employees can elect substantial tax deferred contributions in addition to amounts contributed into the 401(a) plan. There is also a catch up provision for employees who are at least 50 years old.

Final Pay Contributions

Eligible vested employees in the 401(a) plan will have one half (1/2) of accumulated sick leave paid into the 401(a) plan upon retirement or termination of employment.

For additional information on how these plans work, employees can contact the Human Resources Department.

411 - WELLNESS PROGRAM

The wellness program, under the direction of the Wellness Committee and the Human Resources Department, promotes the physical and mental wellness of employees and their families. Participation in the annual health risk assessment and biometric screening program is strongly suggested for all current full-time regular employees; employees enrolled on the City's group medical plan(s) will need to participate in the HRA to participate in the incentive.

The City provides annual biometric screenings at no cost to employees enrolled in the group medical plan(s). Long term prevention programs are designed specifically to target chronic health problems. The City's Wellness Clinic was established to help employees and their dependents control and manage high risk factors. Wellness initiatives as well as health coaches are provided to better educate and re-energize employees to inspire them to take the appropriate steps toward leading a healthier lifestyle.

412 - HEALTH INSURANCE PORTABILITY AND PROTECTION ACT (HIPPA) August 12 2021 21-40

HIPAA's Title II requirements cover the privacy and security of individual health information used, transmitted, and retained by employer health plans and other covered entities, and the electronic transmission of certain health data. This information is known as protected health information (PHI). Under the Health Information Technology for Economic and Clinical Health Act (HITECH) The City of Columbia has the designation of a hybrid entity.

Health Plans Subject to HIPAA's Privacy Regulations

- Major medical, pharmacy, disease-specific policies (such as cancer coverage)
- Dental, vision, long-term care, mental health
- Some Employee Assistance Programs (EAPs)
- Health Flexible Spending Accounts (FSAs)

Privacy Regulations Apply to Covered Entities and Business Associates (the Plan Administrator) Health Plans

- Any plan that provides health benefits or pays for health care
- Includes insured and self-funded employer health plans, HMOs, and insurers.

Health Care Providers

- Applies if they transmit health data electronically
- Can include on site clinics and medical facilities.

Health Care Clearinghouses

- Billing agents and firms that process electronic health information

Typically employers, third party administrators (TPAs), disability plans and workers compensation plans and agencies are not covered entities. However, HIPPA regulations make it clear that employers and the TPAs may be affected based on their roles as plan sponsors and business associates.

HIPPA regulations affect the City and any group health plan sponsored by the City, although employers are not directly regulated by the regulations. The Plan Administrator for a group health plan is responsible for ensuring the plan's compliance with regulations.

SECTION 500

FAMILY, MEDICAL and OTHER LEAVE

501 - FAMILY AND MEDICAL LEAVE August 12 2021 21-40

Purpose

The Family Medical Leave Act (FMLA) entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

Eligible employees are entitled to twelve workweeks of leave in a 12 month period for:

- The birth of a child and to care for the newborn child within one year of birth.
- The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement.
- To care for the employee's spouse, child or parent who has a serious health condition.
- A serious health condition that makes the employee unable to perform the essential functions of his/her job.
- Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a covered military member on "covered active duty" **or** Twenty-six workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness who is the spouse, son, daughter, parent, or next of kin to the employee (military caregiver leave).
- Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is on (or has been notified of an impending call to) "covered active duty" in the Armed Forces.
- "Covered active duty" for members of a **regular** component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country.
- "Covered active duty" for members of the **reserve** components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of title 10, United States Code.

The definition of "spouse" under FMLA has been expanded to include uniform treatment of same sex spouses married in a state where the "celebration" took place rather than the state of residence. Opposite sex couples who enter into a legal common law marriage will retain their FMLA eligibility rights when living in a state that does not recognize common law marriage. The Department of Labor does not consider a civil union to be a marriage for the purposes of defining a spouse under FMLA.

The definition of "son and daughter" under FMLA has been expanded to ensure that an employee who assumes the role of caring for a child receives parental rights to family leave regardless of the legal or biological relationship.

Employee Eligibility

To be eligible for FMLA benefits, an employee **must**:

- work for a covered employer; and
- have worked for the employer for a total of 12 months; and
- have worked at least 1,250 hours over the previous 12 months immediately preceding the date leave commences.

Guidelines

The twelve week period runs concurrently with any paid or unpaid leave available to the employee including leave for a work-related injury.

Employees requesting family and medical leave are required to exhaust any and all available accumulated leave with pay prior to taking any leave without pay during family and medical leave. The total amount of family and medical leave may not exceed twelve (12) weeks in a twelve-month (12-month) period.

If two employees are married to each other and wish to take family and medical leave for the care of a new child or a sick parent, their aggregate leave is limited to twelve (12) weeks. For example, if the mother takes eight weeks leave to care for a child, the father would be entitled to up to four weeks of leave, for a total of twelve (12) weeks.

Under some circumstances, employees may take FMLA leave intermittently – taking leave in separate blocks of time for a single qualifying reason – or on a reduced leave schedule – reducing the employee's usual weekly or daily work schedule. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer's operation. If FMLA leave is for birth and care, or placement for adoption or foster care, use of intermittent leave is subject to the employer's approval.

Military caregiver leave entitles an eligible employee who is the spouse, son, daughter, parent, or next of kin of a "covered service member" to take up to 26 workweeks of FMLA leave in a single 12-month period to care for a "covered service member" with a "serious injury or illness".

The definition of "covered service member" is expanded to include a **veteran** "who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness" if

the veteran was a member of the Armed Forces “at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

For a current member of the Armed Forces the definition of “serious injury or illness” is amended to include not only a serious injury or illness that was incurred by the member in line of duty on active duty but also a serious injury or illness that “existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces” that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating.

For a veteran, a serious injury or illness is defined as “a qualifying injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.”

“Serious health condition” means an illness, injury, impairment, or physical or mental condition that involves either:

- Inpatient care (*i.e.*, an overnight stay) in a hospital, hospice, or residential medical-care facility, including any period of incapacity (*i.e.*, inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care; or
- Continuing treatment by a health care provider, which includes:
 - (1) A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also includes:
 - a. Treatment two or more times by or under the supervision of a health care provider (*i.e.*, in-person visits, the first within 7 days and both within 30 days of the first day of incapacity; or
 - b. One treatment by a health care provider (*i.e.*, an in-person visit within 7 days of the first day of incapacity) with a continuing regimen of treatment (*e.g.*, prescription medication, physical therapy); or
 - (2) Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or
 - (3) Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at

least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; or

(4) A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or

(5) Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

Right To Return To Work

On return from family medical leave, an employee is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An employee is entitled to such reinstatement even if the employee has been replaced or his or her position has been restructured to accommodate the employee's absence.

If the employee is unable to perform the essential functions of the position because of a physical or mental condition, including the continuation of a serious health condition, the employee has no right to restoration to another position under the FMLA. However, the City's obligations may be governed by the American with Disabilities Act.

Notification and Scheduling

An eligible employee must provide the City at least 30 days advance notice of the need for family and medical leave for birth, adoption, or planned medical treatment when it is foreseeable. This 30-day advance notice is not required in cases of medical emergency or other unforeseen events, such as premature birth or sudden changes in a patient's condition that require altering scheduled medical treatment. Parents who are awaiting the adoption of a child and are given little notice of the availability of the child may also be exempt from this 30-day notice.

It is the City's responsibility to designate in writing leave as family and medical leave and to notify the employee.

Certification

The City reserves the right to verify an employee's request for family and medical leave. If an employee requests family and medical leave because of a serious health condition or to care for a family member with a serious health condition, the City requires that the request be supported by certification from the health care provider of either the eligible employee or the family member, as appropriate.

This certification must contain the date on which the serious health condition began, it's probable duration, and appropriate medical facts within the knowledge of the health care provider regarding the condition. For family members, the certification must state the employee's need to care for the son, daughter, spouse, or parent and must include an estimate of the amount of time the employee is needed to care for the family member. Medical certifications will be treated as confidential and privileged information.

An employee may be required to report periodically to the City the status and the intention of the employee to return to work. Before return is granted, employees who have taken family and medical leave under this policy for their own care may be required to furnish the City with a medical certification from the employee's health care provider that the employee is able to resume work.

Maintenance of Health and COBRA benefits during Family and Medical Leave

The City will maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. Arrangements will need to be made for employees to pay their share of health insurance premiums while on leave if they are not receiving pay from the City. The City may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

Reinstatement

Employees who are granted leave under this policy will be reinstated to an equivalent or the same position held prior to the commencement of their leave. Certain highly compensated key employees, who are salaried and among the ten percent (10%) highest paid workers, may be denied reinstatement.

The Twelve (12) Month Family and Medical Leave Period

The twelve-month (12-month) period during which an employee is entitled to twelve (12) workweeks of family and medical leave is determined on a calendar year basis.

If an employee fails to provide a requested fitness-for-duty certification to return to work, the City may choose to delay reinstatement until the employee submits the certificates.

502 - MILITARY LEAVE

City employees who are called to active military duty are entitled to military leave, reemployment rights and benefits under both State and Federal law upon their return from active duty. Employment discrimination because of past, current, or future military service is prohibited.

Reservists' Leave

All employees of the State who are or may become members of any reserve component of the Armed Forces of the United States, including members of the Tennessee Army and Air National Guard, shall be entitled to a leave of absence from their respective duties, without loss of time, pay, regular leave or vacation, impairment of efficiency rating, or any other rights or benefits to which otherwise entitled for all periods of military service during which they are engaged in the performance of duty or training in the service of this State, or of the United States, under competent orders. An employee while on such leave shall be paid salary or compensation for a period, or periods, not exceeding twenty (20) working days in any one (1) calendar year plus any additional days as may result from any call to Active State Duty. After the twenty (20) working days of full compensation, members of any component of the Armed Forces of the United States may use up to five (5) days of sick leave in lieu of annual leave for the purposes of not having to take leave without pay.

An employee called to active duty by the Governor to enforce the laws of the State shall be paid his/her regular salary for such time as he/she is engaged in the performance of his/her duty, and any time spent in Active State Duty shall not count against the twenty (20) day period of leave allowed for military service.

Employees on leave of absence for military service do not continue to accumulate vacation or sick leave. Employees on military leave of absence are entitled to elect continued health insurance benefits for up to eighteen (18) months and may be required to pay the employee cost of such benefits. And, an employee may be required to pay the employee cost of any other continued funded benefit to the extent other employees on furlough or leave of absence are required to do..

Employees returning from military service are entitled to restoration of employment with seniority, status, and pay rate as if continuously employed.

Reinstatement

Within the guidelines established by Federal and State laws, employees who take leave to serve in the Armed Services are entitled to reemployment with the City provided:

- Advance written or verbal notice of military service is provided to the City, unless such notice is precluded by military necessity or is otherwise impossible or unreasonable.
- Cumulative absence due to military reasons does not exceed five years.
- The employee reports to work or applies for reemployment on a timely basis as follows:
 - o Employees with military service of thirty (30) days or less or absences for the purpose of an examination to determine fitness for service must report to the City no later than the beginning of the first regularly scheduled work day following completion of service and eight (8) hours after a period sufficient to allow safe transportation of the employee from the place of service to the employee's residence.
 - o Employees with military service of more than thirty (30) days but not more than 180 days must submit an application for reemployment no later than fourteen (14) days following completion of service (or within the next calendar day that application becomes possible when application within that period is impossible or unreasonable through no fault of the employee).
 - o Employees with military service of more than 180 days must submit an application for reemployment no later than ninety (90) days following completion of service.

An employee's failure to report within the time described above subjects the employee to the City's policy regarding authorized absence from work.

An employee disabled by injury or illness in connection with military service is afforded a period of recovery not to exceed two (2) years. The reemployment rights stated above apply provided the employee reports or applies for reemployment within the time limits set above. Employees returning from military leave who meet the criteria for reinstatement are entitled to be placed in certain positions as described below according to the following order of priority:

- 1) An employee whose period of service is 90 days or less must be reemployed in the position he or she would have held had his or her employment not been interrupted by service.

- 2) An employee whose period of service is more than 90 days must be reemployed in the position he or she would have held had his or her employment not been interrupted by service or in a position of like seniority, status, and pay for which the employee is qualified.
- 3) The City will make a reasonable effort to qualify a returning employee who is not qualified or is no longer qualified for positions that he or she was qualified for prior to Military Leave; however, the City is not required to place an individual in a position for which he or she is not qualified, if doing so would impose undue hardship on the City.
- 4) An employee returning with a service-related disability which renders the employee unqualified for his or her former position must be employed in a position of equivalent seniority, status, and pay which the employee is qualified to perform (or which the City can qualify to perform with reasonable efforts) or, if such equivalent position does not exist, in the nearest approximation to such position in terms of seniority, status, and pay.
- 5) When a position as described above does not exist, the returning employee must be employed in any other available position of lesser status and pay which the employee is qualified to perform, with full seniority.

A returning employee is entitled to the same seniority and other rights and benefits he or she would have had if the employee had remained continuously employed.

While in the service, an employee is entitled to the same benefits as other employees on leave of absence, including the use of paid sick and vacation leave at the employee's election. Accrued annual leave may be taken in lieu of leave without pay. Accrued sick leave may be taken if the employee provides proof to the City that he or she was sick while serving in the armed services. The employee is required to pay any benefit costs which are normally paid by other employees on leave.

A reemployed employee whose period of service is more than 30 days but not more than 180 days may not be discharged (except for cause) within 180 days of reemployment; an employee whose service is more than 180 days may not be discharged (except for cause) within one year following reemployment.

An employee may, while in the service, elect to continue City health plan coverage for a period of 18 months or, where the employee's leave is less than 18 months, until the day after the date on which the employee fails to apply for or return to City employment as required by the Act.

An employee in the service for 30 days or less is required to pay only the employee's portion of the insurance premium.

- An employee in the service for more than 30 days must pay both the employee and employer share of the premium.
- If coverage is terminated at the employee's option, a waiting period for reinstatement upon return to employment may not be imposed.

For retirement purposes, a returning employee is considered as not having incurred a break in service.

- Following the employee's return to City employment, the City must make the retirement plan contributions which would have been made in the absence of a break in service not to exceed five years.
- Employer and employee contributions are based on the rate of pay the employee would have received had he remained continuously employed.

Reemployment rights may be waived by an employee but such waiver may be relied on by the City only if the waiver is in writing and clearly states that the employee is aware of the rights guaranteed by the Act that are being surrendered.

503 - JURY DUTY LEAVE

Active employees selected for jury duty service shall be excused from regular duty, with pay, according to the guidelines set forth in TCA 22-4-108. An employee receiving compensation related to a summons for jury duty must submit the summons to their supervisor.

The employee shall be entitled to the employee's usual compensation received from such employment. Any jury duty pay or other compensation paid by the court for jury duty service is retained by the employee.

504 - MATERNITY/PATERNITY LEAVE

Pursuant to the Tennessee Maternity/Paternity Leave Act of 2005, TCA 4-21-408, any regular employee who has been employed full time by the City for at least one year shall be granted leave for a period not to exceed four (4) months for the purpose of pregnancy, childbirth, and nursing the infant, or for the adoption of a child.

An employee who gives the City at least three (3) months' advance notice (unless prevented from doing so because of emergency medical necessity) of their anticipated date of departure for maternity/paternity leave, length of leave, and their intention to return to employment after the leave, shall be restored to their previous or a similar position with the same pay status, pay, length of service credit and seniority, as applicable, as of the date of the leave.

The employee shall be required to exhaust any and all allowable accumulated leave with pay prior to taking any leave without pay during maternity/paternity leave. Any maternity/paternity leave (whether with or without pay) shall simultaneously be considered and treated as family and medical leave to the extent such leave is and remains available to that employee.

Bereavement Leave

Active full-time regular employees are granted 24 work hours of bereavement leave (which is defined as leave with pay) in the event of the death of any member of the employee's immediate family. Immediate family is defined as:

- the employee's current spouse;
- A mother/father; (Includes steps and in-laws)
- A brother/sister; (Includes steps or halves and in-laws)
- A child (step-child if the employee is directly responsible)
- Domestic partners and their children;
- Great Grandparents;
- Grandparents;
- Grandchildren;
- Daughter/son in-law;
- Other persons with whom the employee has a "loco parentis" relationship (In loco parentis" means the employee has the day-to-day responsibilities for the care and financial support of a child or persons who had such a responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.).

In cases requiring extensive travel time, time needed to settle an estate, or additional grief time, the employee may be granted additional leave. The additional time may be charged to the employee's accrued and unused sick leave, but only if authorized by the employee's department head.

Funeral Leave

- Active employees who are full-time regular are allowed one regularly scheduled work day of funeral leave (which is defined as leave with pay) in the event of the death of any member of the employee's immediate family (as defined above) or extended family. For the purposes of this policy extended family is defined as:
- Step-child;
- Great Grandparent;
- Grandparent;
- Grandchild; (Include steps, halves and in-laws of the same relationship)
- Aunt/Uncle;
- Niece/Nephew;
- Son-in-law/Daughter-in-law;
- Legal dependent of the employee.

506 - INCLEMENT WEATHER LEAVE August 12 2021 21-40

Whenever it is determined that the health or safety of citizens or employees would be placed at risk or that conditions or events prevent performance of regular operations, services or responsibilities, City offices or a subsection thereof may be closed. The City Manager shall make decisions regarding the conditions affecting the closure. In situations regarding inclement weather, the Director of Public Works, Wastewater, Police and Fire will determine the requirements for their department's operation.

Regular employees will receive their regular pay if the City Manager announces that offices are closed. Part-time regular employees, who are scheduled to work when the City announces offices and facilities are closed, will be paid for the hours they were scheduled to work when the closure occurred. However, if City offices are not closed and the employee determines it is not safe to travel, they may use accumulated vacation or compensatory leave.

If inclement weather or other emergency conditions develop during the workday, employees will be notified by telephone and/or email of any authorized changes to normal work hours. If such conditions develop during the night and warrant delayed opening or official closing, official announcements will be made by posting notice on the City's website (www.columbiatn.com) or employees may call (931) 560-1599.

507 - LEAVE OF ABSENCE WITHOUT PAY August 12 2021 12-40

A leave of absence without pay is an authorized, temporary release of an employee from the payroll. Leaves of absence are granted either under the provisions of applicable federal or state laws or by the City at the discretion of the employing department with City Manager approval to protect employment and certain benefit rights for a specific period of time.

Leave of Absence Without Pay due to Illness, Injury or Pregnancy

Employees who do not meet the criteria for Family and Medical Leave, or who have expended their allowable leave, may apply for a leave without pay for their own illness, injury or pregnancy.

The employee must have exhausted all paid leave prior to leave without pay, unless the leave is due to a worker's compensation injury or illness. The employee must provide a health care provider's statement which advises on his/her physical inability to perform the job. The approval and duration of the leave is at the discretion of the department head ~~who has the authority to approve leave~~ and will be based on a health care provider's statement, the individual's ability to perform job duties, and the needs of the employing department. Leave granted under this provision will normally not exceed 26 weeks (6 months) duration, (less may be granted if the employee's continuing absence would substantially conflict with the needs of the department).

Leave of Absence Without Pay due to Personal Reasons

A leave of absence without pay may be granted to a regular employee for personal reasons only after eligible leave with pay (vacation, compensatory) has been exhausted. Consideration of a request for personal leave should be based upon the effect of such leave on the department's workload and the reason for the leave. Leave granted under this provision will normally not exceed 26 weeks duration.

Requests and Approvals for Leave of Absence Without Pay

All requests for leave of absence without pay must be submitted in writing. Such requests should be made in advance if possible and as soon as the employee determines leave is necessary. The employee should fully outline the purpose for the request, and attach any pertinent documentation such as a statement from the health care provider, etc. The leave of absence must be approved by the department head. Department heads are urged to consult with the Human Resources department if unsure whether a particular request qualifies for the type of leave requested.

Before an employing department may fill the position of an employee who is on leave without pay and not covered by FMLA with a regular replacement, written permission must be obtained from the City Manager and filed with the Human Resources department.

Benefits Administration

An employee due to go on a leave without pay for any reason should contact the Human Resources department immediately to discuss benefits during leave. If possible, this should be done in advance of the leave without pay.

Accrued leave benefits are to be handled as follows:

- Accrued vacation leave, sick leave, and compensatory time must be expended prior to taking leave without pay under the provisions of the Family and Medical Leave Act unless the leave is due to a worker's compensation injury or illness. The use of sick leave is strictly limited to those situations clearly falling within the definition of sick leave contained in the Sick Leave Policy.
- Leave taken under any of the provisions stated in this policy does not entitle the employee to receive the City contribution in any month in which no salary is paid.
- In all instances, the employee must pay the monthly employee's contribution, and the City's contribution, by specified deadlines each month to retain coverage. Coverage discontinued while on leave of absence without pay will not be automatically reinstated upon return to employment. Some coverage may be reinstated only with approval of the issuing company.

General Provisions

Failure to return to work upon expiration of approved leave will be considered a voluntary termination of employment. In such cases, an individual desiring to return to work will be treated as a new applicant.

An employee who returns to employment at the termination of a leave of absence without pay will normally be reinstated in the same position he/she formerly held, or in a position of similar status or pay.

Subject to fiscal constraints, approval of such leaves constitutes a guarantee of employment for a specified period of time.

508 - RETURN TO WORK

Employees returning to work after an absence of more than five (5) consecutive work days may be required to provide a statement from a physician. In such instances, the City also invokes the right to require employees to submit to an examination by a physician designated by the City at its discretion. Employees receiving any type of disability compensation or on medical leave of absence are considered to be unable to work. Employment conducted outside of the employee's regular job in these situations will result in disciplinary action.

SECTION 600

SAFETY

601- WORKPLACE SAFETY

It is the policy of the City to provide a safe and comfortable work environment for all employees. The City has established workplace safety procedures and regulations that comply with regulatory requirements and which are intended to increase safety consciousness among all employees. It is City policy to maintain a constant vigilance of all workplace safety programs, and where workplace safety standards are found to be deficient; the City shall take immediate action to correct the situation. The City adheres to the philosophy that the safety of the employees and the public is a high priority. The City Manager retains overall responsibility for oversight of the City's workplace safety program.

The City Manager shall appoint a Workplace Safety Coordinator who is responsible for the development and effective implementation of the City's Workplace Safety Program. The Workplace Safety Coordinator is charged with the responsibility of the preparation and promulgation of the City's Workplace Safety Manual, with amendments as necessary, for advance approval by the City Manager, to meet compliance with Federal and State workplace safety standards and laws. The plans and programs contained therein shall be at least as stringent as the Federal and State standards on the same issues and shall include the following:

The Workplace Safety Committee Members and/or the Workplace Safety Coordinator shall have the right to enter, at any reasonable time, any work area under the control of the City, and to inspect and investigate any such place of employment and all pertinent conditions, processes, machines, devices, equipment, and materials therein, and to question privately any supervisor or employee.

The Workplace Safety Coordinator or a Workplace Safety Committee Representative may require the attendance of employees, and may interview employees and require the presentation of evidence, for the purpose of confirming or supplementing findings.

The City emphasizes the necessity for all employees to recognize and report workplace safety and health problems, to avoid unsafe working conditions, and to learn and practice acceptable workplace safety techniques.

All employees shall be informed of applicable procedures and standards set forth by the Tennessee Occupational Safety and Health Act. The Workplace Safety Coordinator is responsible for the administration of the City's Workplace Safety Program and serves as the primary liaison within the City organization for workplace safety purposes.

A Workplace Safety Committee comprised of representatives from seven (7) departments work with the Workplace Safety Coordinator to ensure the City is in compliance. The Workplace Safety Coordinator shall coordinate and direct the operations of the Workplace Safety Committee. The duties of the Workplace Safety Committee shall be prescribed in the Workplace Safety Manual. Department heads will determine membership of the Workplace Safety Committee based on the groups' expertise in workplace safety matters.

602 - WORKERS' COMPENSATION PROGRAM August 12 2021 12-40

All injuries arising out of and in the course of one's employment shall be governed by the Tennessee Workers' Compensation Law. Employees on work-related injury leave shall receive disability benefits in accordance with Tennessee Department of Labor regulations. The Human Resources Director, under the direction of the insurance carrier or its representatives, shall coordinate all workers' compensation claims. The employee shall be required to communicate to and coordinate all activities (i.e., medical care, restricted duty, return to work, etc.) through the Human Resources Department. Failure to follow proper procedure may result in disciplinary action and/or denial or loss of workers' compensation benefits.

The date of injury and the first seven (7) calendar days immediately following are a waiting period and no disability benefits are payable by the insurance carrier unless the disability period lasts at least fourteen (14) calendar days, in which case disability benefits shall be calculated beginning with the day following the injury. Disability benefits are based on two-thirds (2/3) of the employee's gross average weekly wage for the last 52 weeks worked prior to the injury, subject to the minimum and maximum benefits as provided by law.

On the day or shift of the work-related injury, and during the first seven (7) calendar days immediately following the date of injury of any work-related injury leave, the injured employee shall be paid in full by the City his or her wages or salary the same as if that employee had worked during that time as scheduled. After the first seven (7) calendar days immediately following the date of injury, the injured employee will not be paid wages or salary while on work-related injury leave but any workers' compensation disability benefits paid by the insurance carrier for that same period of time shall be credited to the injured employee. Accrued leave with pay may not be utilized at any time during work-related injury leave.

The City of Columbia will **NOT** be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the City, unless the program has been approved by the City Manager.

603 - DISTRACTED DRIVING

There are three main types of distraction:

- § Visual — taking your eyes off the road
- § Manual — taking your hands off the wheel
- § Cognitive — taking your mind off what you're doing

Distracted driving is any non-driving activity a person engages in while operating a motor vehicle. Such activities have the potential to distract the person from the primary task of driving and increase the risk of an accident.

“Hands Free Tennessee” – Public Chapter 412 makes it illegal for a driver to:

- § Hold a cellphone or mobile device with any part of their body,
- § Write, send or read any text-based communication
- § Reach for a cellphone or any mobile device in a manner that requires the driver to no longer be in a seated driving position or properly restrained by a seatbelt
- § Watch a video or movie on a cellphone or mobile device, and
- § Record or broadcast video on a cellphone or mobile device.

A function or feature of a wireless telecommunication device or stand-alone electronic device is mounted on the vehicle's windshield, dashboard, or center console in a manner that does not hinder the driver's view of the road; and the driver's hand is used to activate or de-activate a feature or function of the wireless telecommunications device or stand-alone electronic device with the motion of one (1) swipe or tap of the driver's finger, and does not activate camera, video, or gaming features or functions for viewing, recording, amusement, or other non-navigational functions, other than features or functions related to the transportation of persons or property for compensation or payment of a fee.

Exemption for Public Safety – Fire and Police

- § Officers of the state or of any county, city, or town charged with the enforcement of the laws of this state, or federal law enforcement officers when in the actual discharge of their official duties;
- § Campus police officers and public safety officers, as defined by 49-7-118, when in the actual discharge of their official duties;
- § Emergency medical technicians, emergency medical technicians-paramedics, and firefighters, both volunteer and career, when in the actual discharge of their official duties;
- § Emergency management agency officers of this state or of any county, city, or town, when in the actual discharge of their official duties.

604 - INFECTIOUS DISEASE CONTROL POLICY

In providing municipal services, employees may come in contact with life-threatening infectious diseases that can be transmitted through job-related activities. It is important that both citizens and employees be protected from the transmission of diseases just as it is equally important that neither is discriminated against because of basic misconceptions about various diseases and illnesses.

Occupational exposures may occur in many ways, including needle sticks, cut injuries or blood spills. Some employees are assumed to be at a higher risk for blood borne infections material from potentially infected individuals.

Personal Protective Equipment (PPE) is provided to high risk employees at no cost to them. Training in the use of the appropriate PPE for specific tasks or procedures is provided by the employee's supervisor.

The City implements various methods of exposure control including:

- Body substance isolation
- Engineering and work practice controls
- Personal protective equipment
- Hepatitis B vaccination
- Post-exposure evaluation and follow-up
- Communication of hazards to employees and training
- Recordkeeping
- Procedures for evaluating circumstances surrounding exposure incidents

Employees covered by the blood borne pathogens standard receive an explanation of the exposure control plan during their initial training. It will also be reviewed in their annual refresher training. Each department will provide, maintain and ensure adequate supplies of all necessary Personal Protective Equipment (PPE), engineering controls (e.g., sharps containers), labels, and red bags as required by the standard. Regulated waste is placed in containers which are closable, constructed to contain all contents and prevent leakage, appropriately labeled or color-coded, and closed prior to removal to prevent spillage or protrusion of contents during handling.

The Benefits/Safety Coordinator will:

- Make an exposure determination for all employee positions to determine a possible exposure to blood or other potentially infectious materials;
- Maintain records of all employees and incidents subject to the provisions of the policy;
- Conduct periodic inspections to determine compliance with the infection control policy by municipal employees;

- Coordinate and document all relevant training activities in support of the infection control policy;
- Identify any and all housekeeping operations involving substantial risk of direct exposure to potentially infectious materials and shall address the proper precautions to be taken while cleaning rooms and blood spills; and
- Perform such other duties and exercise such other authority as may be prescribed by the City Manager.

605 - DRIVING RECORDS

Any employee who is required as an employment condition to possess and maintain a valid Tennessee driver's or commercial driver's license in order to perform functions of their City job must immediately, or at the latest upon reporting for duty the next workday, inform his or her supervisor should his or her license become denied, expired, restricted, suspended, or revoked any time during employment with the City.

An employee's driving record may be subject to periodic MVR checks. Any employee who is required as an employment condition to possess and maintain a valid Tennessee driver's or commercial driver's license in order to perform functions of their City job, whose license is not currently valid, and who has not so informed his or her supervisor of such invalidity, shall be subject to disciplinary measures.

606 - SEAT BELTS

All City employees must wear seat belts when they are driving or riding in a City vehicle. Seat belts must be fastened and remain fastened until the vehicle comes to a complete stop. This applies to both licensed and off the road, non-licensed vehicles whenever seat belts are provided.

607 - IDENTITY THEFT POLICY

The City of Columbia maintains accounts for its customers to pay tax bills. These accounts are covered accounts under the Red Flag Rules adopted by the Federal Trade Commission (FTC) in 16 C.F.R. § 681.2. The City adopts this Identity Theft Prevention Policy to comply with 16 C.F.R. § 681.2 which is designed to detect, prevent and mitigate identity theft in connection with these customer accounts. The accounts covered by this policy shall be referred to as customer accounts.

For purposes of this Policy, the term "Identity Theft" means a fraud committed or attempted using the identifying information of another person without authority. For purposes of this policy, the term "Red Flag" means a pattern, practice, or specific activity that indicates the possible existence of identity theft. Section II.C provides a specific description of which Red Flags are applicable to this policy.

The City allows access to account information using the following methods:

- In person at City Hall with proper identification;
- Over the telephone after providing certain identifying information;
- Over the internet using a secure password.

In identifying relevant Red Flags associated with customer accounts, the Council and management have considered the following categories of Red Flags for identity theft.

- Alerts, notifications and warnings from consumer reporting agencies;
- Presentation of suspicious personal identifying information;
- The unusual use of or other suspicious activity related to a customer account;
- Notices of potential identity theft including: notices from customers, law enforcement authorities, or other persons indicating that a customer may have been a victim of identity theft, notice to the City that a customer has provided information to someone fraudulently claiming to represent the City.

If a City employee detects a red flag, the City employee shall notify the City Recorder; if the City discovers that ~~may~~ **any** of its customers have become victims of identity theft, the City will notify the police department.

The City will update the policy and procedures as necessary to reflect changes in risks, ways to prevent and mitigate identity theft, changes in services and changes in business arrangements involving joint ventures and third party service providers.

The City Recorder shall provide training for all new employees who will have access to sensitive customer information. Training shall discuss the identification of relevant red flags, detection of red flags, and the prevention and mitigation of identity theft.

The City has business relationships with third party service providers. Under these relationships, the third party service providers have access to customer identifying information covered under this policy. The City Recorder shall ensure that third party service providers' work for the City is consistent with this policy by amending contracts to be consistent with this policy and ensuring that third party providers have reasonable alternative safeguards that provide protection for customer information.

SECTION 700

CITY PROPERTY

701 - USE OF CITY TIME, FACILITIES AND AUTHORITY

An employee may not use City facilities, equipment, and supplies for personal needs either during or beyond normal working hours unless authorized by the City. In addition, officials or employees may not make or attempt to make private purchases using the City of Columbia's name or resources including cash and purchasing cards.

Employees of the City may not use or attempt to use their position to secure any privilege or exemption for themselves or others that is not authorized by the Charter, general law, ordinance or policy of the City. A City employee in his/her relationships with any person, may not use the power or authority of his/her office or position in a manner intended to induce or coerce another person to provide, directly or indirectly, anything of value that will provide an advantage, benefit, or economic gain of the employee, or any other person.

No employee may use his/her official influence to assist any person for compensation, other than as done in the course of assigned duties and responsibilities.

No City employee may have any financial interest in the profits of any contract, service, or their work performed by the City; or personally profit directly or indirectly from any contract, purchase, sale, or service between the City and any person or company; or personally, or as an agent, provide any surety, bail, or bond required by law or subject to approval by the City Manager. No employee may accept any free or preferred services, benefits, or concessions from any person or company that might reasonably be interpreted as an attempt to influence his/her actions with respect to City business.

702 - USE OF CITY VEHICLES, MACHINERY AND EQUIPMENT August 12 2021 21-40

City vehicles, machinery and equipment are for official use only, except as delineated below.

No person other than an employee authorized by his or her department head may operate a City vehicle or piece of machinery or equipment. Drivers of vehicles must have a valid and current Tennessee driver's license and shall obey all traffic laws.

Only current officials and employees of the City are permitted to ride in any City vehicle unless authorization is given by the supervisor of the employee operating that vehicle. For Police and Fire vehicles, a completed ride waiver, approved by the Chief of Police or Fire Chief, is required.

Additional authorized person(s) for police vehicles include:

- An employee of the Columbia Police Department;
- A person under arrest;
- A person on police-related business, such as prosecutors, witnesses, stranded motorists, etc., with supervisory approval;

No City vehicles, machinery or equipment may be operated outside of Columbia city limits by any employee unless so authorized by the supervisor or department head of that employee.

Employees are prohibited from using City owned vehicles for personal use, except as provided in this policy. Vehicles may be used for meal and break stops taken in the course of employment.

Employees are expected to use City vehicles, machinery and equipment in a safe manner, in accordance with manufacturers' specifications, and as directed by each employee's supervisor. In particular, employees are to wear seat belts whenever operating any vehicle or machinery so equipped. Under no circumstances shall the vehicle, machinery or equipment be operated while the operating employee is under the influence of alcohol or any drugs that could adversely affect the employee's ability to operate the same both safely and efficiently.

Employees who are issued City equipment and/or property shall be responsible for the safekeeping, serviceable condition, and proper care, of City property assigned or entrusted to them. Any damage to any City vehicle, machinery or equipment, including

that from normal wear and tear, shall be reported to the employee's supervisor immediately except in cases of emergency then as soon as possible. Failure to do so on the part of the employee responsible for any such damage may result in disciplinary action up to and including dismissal.

Damaged or unserviceable City equipment and/or property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority. In the event that any City equipment and/or property become damaged or unserviceable, no employee shall attempt to repair the equipment and/or property without prior approval of a supervisor (unless it is part of his/her job).

All employees who handle City equipment are responsible for its care and security while under their control. The loss, damage or waste of City property or equipment through negligence, carelessness, or improper care or use may be grounds for disciplinary action up to and including dismissal. The employee responsible for such loss, damage or waste may be charged for the property in question or any repair, recovery or replacement costs.

Employees who receive traffic citations while operating a City vehicle are responsible for the payment of any fines, fees and/or assessments.

At the time of separation of employment, and prior to receiving final monies due, the employee shall return to his or her department any and all assets, books, keys, manuals, records, uniforms, tools and other items of City property in the employee's care and custody. Certification to this effect shall be made by the employee's supervisor or department head, and all monies due the City because of any shortages or unreturned property shall require repayment arrangement at the time of termination.

The City Manager may authorize certain employees to drive their assigned city-owned vehicles to their place of residence after normal working hours, but the vehicle may be utilized only for commuting and not for personal purposes.

703 - USE OF CITY-PROVIDED TECHNOLOGY

Computing is an integral part of the business functions of the City of Columbia. Many City functions that an employee encounters in carrying out their job functions and duties will require that employee to interact with the computing infrastructure and available resources. The computing resources at the City are the property of the City of Columbia. The City of Columbia reserves the right to take all necessary measures either proactively or in reaction to an event or the possibility of an event to protect those computing resources.

Each employee is expected to conduct their computing needs in a manner that in no way jeopardizes the availability of the system or any connected system whether owned by the City or some other entity. Additionally, the City of Columbia strictly prohibits the use of its computing facilities to engage in, participate in, or be party to any illegal activity. The City will monitor its systems in order to protect against such activity. Additionally, City employees are exposed to and have access to sensitive data resources and information, it is expected that the employee will take every known action to protect the privacy and sensitivity of those resources and information.

Any violation of this policy will result in corresponding disciplinary action by the City. Employees suspected to be in violation of this policy will be reported to the appropriate investigative unit, including but not limited to the MIS Department, Human Resources Department or the Police Department.

All employees of the City of Columbia are expected to be familiar this policy and agree to adhere to it prior to using any computing related facilities. Acceptance will be considered as a condition of employment with the City.

Purpose

The purpose of this policy is to protect the MIS resources and the data that is contained in, or manipulated by those MIS resources as used in the daily employment duties of employees. The shift of computing resources from a centralized data center to the desktop has resulted in a corresponding shift of some of the responsibility for maintaining and safeguarding those resources to the individual employee. The equipment, software and data used by each employee are expensive and vital assets of the City; and are the duty of every employee to protect.

Policy

It is the policy of the City of Columbia that computing resources are the property of the City to be used for City-related business. Employees have no expectation of privacy when

utilizing City computing resources, even if the use is for personal purposes. The City reserves the right to inspect, without notice, the contents of computer files, regardless of medium, the contents of electronic mailboxes and computer conferencing systems, systems output, such as printouts, and to monitor network communication when:

- It is considered reasonably necessary to maintain or protect the integrity, security or functionality of City or other computer resources or to protect the City from liability.
- There is reasonable cause to believe that the users have violated this policy or otherwise misused computing resources;
- An account appears to be engaged in unusual or unusually excessive activity; and
- It is otherwise required or permitted by law. Additionally, the username and computing services of the individuals involved may be suspended during any investigation of misuse of computing resources.

All employees will adhere to Federal and State laws concerning privacy. Official releases of data under Freedom of Information requests are to be routed through the City Recorder's office.

All City data, public or private, will be stored in such a manner as to reasonably protect it from loss due to equipment failure, fire, theft, sabotage or human error. The City MIS Director establishes data retention periods.

All employees will safeguard their computer usernames and passwords. No employee will allow unauthorized persons access to City data or computing or network resources by sharing their username and password.

No employee will knowingly create access into the computing network in such a way as to bypass City security systems. Employees will make reasonable efforts to ensure that no software or hardware under their control allows unauthorized access to City data.

No employee will attempt to use the City network to gain unauthorized access to other computing resources or data, nor will they knowingly attempt to disrupt the operation of any computer system or network.

No employee will knowingly violate software licenses or copyrights during the course of their job duties or at any time while using City equipment or software. Employees are required to have the MIS Department review, authorize, requisition, and install any

software on their City-supplied computer. This includes programming and contractual work performed by consultants and vendors.

No employee will use City data, computing resources or the network for illegal activities or for personal gain.

No employee will attach or install equipment not owned by the City (i.e. personal devices) to any City computer, network device, or wireless device. Examples of such devices are laptops, tablets, smartphones, iPods, MP3 players, digital cameras, voice recorders, etc.

Any detection of a software virus will be reported immediately to the MIS department.

No employee will use the City electronic mail system to falsify the identity of the source of electronic mail messages; send harassing, obscene or other threatening electronic mail; attempt to read, delete, copy, or modify the electronic mail of others without their authorization; or send, without official City authorization, "for-profit" messages, chain letters, or other unsolicited "junk" mail.

The MIS Policies and Procedures contain more detailed directions concerning City policies regarding information technology and can be found on the internal web site at <\\coco\data\Misc\MIS>.

Disciplinary Action

The City will impose disciplinary sanctions on employees who violate the above policies. The severity of the imposed sanctions will be appropriate to the violation and/or any prior discipline issued to that employee.

704 - UNIFORM USE AND RESPONSIBILITY

The City provides uniforms for various job classifications. The City desires uniforms that are well maintained to emphasize the professionalism of the workforce and to promote pride in the City. Uniforms issued by the City are City property, are the responsibility of the employee, and are not to be worn other than while on the job for the City and, optionally, while commuting to and from work for the City. At the time of separation of employment, and prior to receiving final moneys due, the employee shall return to his/her department any uniforms in the employee's care and custody, certification to this effect shall be made by the employee's supervisor or department head. Any uniform(s) that are damaged or not returned will be deducted from the employee's final check or otherwise collected.

705 - PERSONAL TELEPHONE CALLS

Using a City telephone during regular work hours for local and/or long-distance calls of a personal nature, except in emergency cases, is discouraged. Personal calls that must be made or received during business hours are permitted if they are held to a minimum and do not interfere with the employee's work.

The cost of any excessive long-distance personal telephone calls may require payment by the employee. Lengthy personal phone conversations on non-emergency matters may result in disciplinary action.

Telephone Courtesy

The telephone is often the only contact citizens have with the City. Telephone courtesy is essential. When employees answer general telephone lines, they should state "City of Columbia" and, if appropriate, the department's name. Employees who answer a direct line or a transferred call should identify the department's name if appropriate and state their own name. Employees should be **pleasant**, **courteous**, and **professional** to callers at all times.

Use of City-Provided Cell Phones

City employees are provided with all telecommunications equipment and services needed by or suitable for them to perform their essential job functions. City employees that require cellular telephones to perform their essential job functions will be enrolled in a "calling plan" considered to be appropriate for their City business needs.

Employees are required to turn their cell phones and personal digital devices off, turn them to silent mode, or ignore them while driving a City vehicle. The use of hands free devices or pulling off to the side of the road before speaking on the phone is required if electronic devices are not turned off. Under no circumstances should an employee text while operating a City vehicle. As with any policy, management staff is expected to serve as role models for proper compliance with the provisions of this policy and are encouraged to regularly remind employees of their responsibilities in complying with this policy. Supervisors need to refrain from calling or e-mailing employees when they know employees are on the road. Also refer to Policy 603 "Distracted Driving".

Under Internal Revenue Service regulations, occasional **de minimis** use of City provided telecommunications equipment and services does not give rise to taxable income to employees. Therefore, any City employee assigned access to telecommunications service or equipment that do not exceed their assigned "calling plan" minutes will not be considered to exceed the occasional **de minimis** rule. Any City employee who does not exceed their calling plan minutes in any month shall be deemed to be in compliance with

the occasional ***de minimis*** rule and shall not be required to reimburse the City for any personal calls made during that month.

City cell phones should be password protected in the event that one is lost or stolen. If an employee loses or has a cell phone stolen, they should contact their supervisor

Use of Personal Cell Phones

Employee time is valuable, and work hours must be fully used for City business. However, reasonable "use of personal cell phones or telecommunications devices" policies can be imposed at the department level. City departments may limit or prohibit the use of personal cell phones, pagers or other personal wireless devices during on-duty time and/or on City property by issuing departmental policies.

706 - BULLETIN BOARDS

At numerous locations, the City maintains bulletin boards on which important information connected with an employee's work and information required for public notice is posted from time to time. Cooperation is needed in protecting the posted material. All material to be placed on the bulletin boards must be approved by the appropriate department head before being posted.

707 - PARKING

The City provides employees space for parking personal vehicles. The City assumes no responsibility for loss or damage to employee vehicles or their contents, including any losses arising from fire, theft, or personal liability.

708 - TRAVEL POLICY

It is recognized that travel expenses will be incurred as a normal part of conducting City business. Furthermore, it is the policy of the City that all allowable expenses incurred on City business are reimbursed to the individual accordingly, when proper documentation is received by the employees' department head and audited by the Finance Department. Personal expenses incurred on City business remain the responsibility of the individual. An annual amount for travel, meals, transportation lodging, registration fees, and general out-of-pocket expenses may be budgeted for the City Council, Boards and Commissions, the City Manager, department heads, and other employees. This amount will be reviewed annually during the budget process and may be adjusted accordingly. Permissible functions are conferences and conventions, meetings, seminars and training sessions that are related to the operations of the City.

The City Council shall set the travel budget for the City Manager and the City Council. Travel budgets for boards, commissions, and management personnel shall be set by the City Manager subject to annual appropriations.

Submitting Expenses

Employees need to submit a request for authorization to travel to their supervisor prior to travel for approval. After travel is complete, an expense form is submitted to the Finance Department for reimbursement or reconciliation within two (2) weeks after completing the travel.

Eligible expenses include registration fees, lodging, meals, parking fees, transportation, telephone, tips, and other justifiable expenses that pertain directly to City business. Meals are not covered unless an overnight stay is involved. Meals and incidentals for in-state travel are covered at the current State rate; travel outside Tennessee will follow the Federal schedule.

Employees may request an advance of funds for travel expenses. Requests must be approved by the department head and Finance Director and requested 10 days prior to anticipated or scheduled travel. Lodging and registration fees will be paid directly to the hotel or organization but need to be noted on the approved travel expense form. At the time of booking in-state hotels, employees should provide a tax exempt form to the hotel.

The use of personal vehicles will be reimbursed at the current State mileage rate.

Expenses will be covered for the day preceding through the day following the event.

The City Manager must approve all Department Head travel in advance. All employee travel expenses must be reconciled against travel reimbursement. In order to reconcile travel expenses, a travel reconciliation form must be completed

and submitted to Accounts Payable, with detailed receipts, within 14 days of return from travel.

709 - SOCIAL MEDIA USE

Social Media has changed the way in which we communicate and it continues to impact our lives on a daily basis. The City of Columbia embraces the use of Social Media as it can be a powerful tool to strengthen relationships with the public, our employees, and other important audiences. It is essential in building the City's brand for marketing, advertising and to distinguish the City of Columbia as a desired destination. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist employees in making responsible decisions about their use of social media, the City has established this policy.

This policy is meant to provide a framework for effective and acceptable use of social media. This policy applies to every employee currently employed by the City in any capacity who posts any material whether written, audio, video or otherwise on any social media outlet, website, blog, or any other medium accessible via the internet. Examples include: Facebook, Twitter, Instagram, TikTok, YouTube, LinkedIn, blogs, podcasts, etc. This policy also applies to all associates who work for the City of Columbia, or one of its subsidiaries.

Employees use social media to inform citizens; market the city as a destination and as an ideal place to live, work, and play; build professional credibility, and advocate on behalf of the City. Social media can be used by employees to build and maintain relationships and keep up with industry trends.

Employee privacy laws define the boundaries between an employee's rights to personal privacy while balancing the rights of the City to protect itself from risks or harm that may result from an employee's activities.

Employees are free to establish and maintain personal social media accounts. However, employees must ensure that their social media activities comply with the policies, standards and other applicable laws by which the City operates. When employees are on-duty, the City requires they use official time to perform official duties, and that employees use City property only to perform official duties, unless they are authorized for other purposes. This limits the extent to which employees may access and use their personal social media accounts while on duty.

Code of Conduct vs Personal Privacy

While employees have certain rights with respect to personal privacy, companies also have the right to expect a certain standard of conduct of their employees. With respect to employees and the right to freedom of speech, the meaning of the First Amendment only extends to the right to express yourself without interference or constraint by the United States government. The first amendment specifically extends to written, visual, and spoken expression posted on the internet, this does not mean that anything said online is protected by "free speech". The government can limit both the content of speech and the ability to engage in speech as long as the government has a "substantial justification".

Hate speech, advocating illegal activity, defamation, and copyright infringement are all examples of substantial justification.

In addition, the National Labor Relations Act (NLRA) protects employees in concerted activities as follow:

- Organizing co-workers,
- Complaints about working conditions and
- On-the-job protests, picketing and strikes.

Employees are protected by the NLRA if items posted are critical of the City's employment practices, subject to the posts being joined in by co-employees, or if the posts are for the purpose of urging, preparing for, or carrying out concerted complaints or actions.

Work-related complaints must be related to some type of group action, or "seek to initiate, induce or prepare for group action, or bring a group complaint to the attention of management." Activity is not protected if employees say things about their employer that are "egregiously offensive or knowingly and deliberately false", or if employees publicly disparage their employer's products or services without relating their complaints to any labor controversy.

Accounts, Passwords and Employee Privacy

Social media means an electronic service or account, or electronic content, including, but not limited to, videos, still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts, or internet website profiles or locations. Employees are subject to the following guidelines:

- Disclose a username or password for the purpose of accessing personal social media.
- Access personal social media in the presence of the employer.
- Divulge any personal social media.
- Nothing shall affect the City's existing rights and obligations to request an employee to divulge personal social media reasonably believed to be relevant to an investigation of allegations of employee misconduct or employee violation of applicable laws and regulations, provided that the social media is used solely for purposes of that investigation or a related proceeding.
- Nothing precludes the City from requiring or requesting an employee to disclose a username, password, or other method for the purpose of accessing a City issued electronic device.
- The City shall not discharge, discipline, threaten to discharge or discipline, or otherwise retaliate against an employee or applicant for not complying with a request or demand by the City that violates protected activities. However, The City is not prohibited from terminating or otherwise taking an adverse action against an employee or applicant if otherwise permitted by law.

- Candidates and employees who are expressing personal opinions should never represent yourself as a spokesperson for the City.
- If the City is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the City of Columbia, fellow associates, members, customers, suppliers, or people working on behalf of the City of Columbia.
- Employees who publish a blog or post online related to the work they do or subjects associated with the City, must make it clear that you are not speaking on behalf of the City of Columbia.
- It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the City of Columbia."

Monitoring Employees' Social Media Use

In an effort to reduce risks of employees using social media at work for concerns such as, data or confidentiality breaches, social engineering and cyberattacks, the City of Columbia has granted limited access to employees unless there is a business reason for them to have access to social media and internet sites.

This policy is written to protect an employee's rights to privacy while balancing the City's need to monitor employee activities to protect the City from harm. The City of Columbia utilizes the following types of monitoring:

- Intentional Monitoring of Specific Networks: Allow and monitor employees' use of "approved" social networks while monitoring employees' personal and work-related use of social media;
- "Unofficial" Monitoring: Department Heads, and direct supervisors may connect with employees on LinkedIn or Facebook, "outside the office". This can be construed as "monitoring" their teams' personal social media activities. Department Heads and supervisors must make sure employees are aware of and consent to any monitoring that is taking place of their personal social media profiles. Intentional monitoring requires consent from employees, approvals of specific social networks for use by employees, and requires reporting to Human Resources to request an exception.
- The National Labor Relations Board protects the rights of employees to engage in certain "collective activities" (terms and conditions of employment) related to labor conditions. An employee's comments on social media are generally not protected if they are mere gripes not made in relation to group activity among employees.

Post only Appropriate and Respectful Content

- Always be fair and courteous to fellow employees, citizens, suppliers, and people who work on behalf of the City;
- Keep in mind that employees are more likely to resolve work-related complaints by speaking directly with co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet.

- If an employee decides to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating, that disparage citizens, employees, members, associates, or suppliers, or that might constitute harassment or bullying.
- Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or any other status protected by law or City policy.
- Employees should make sure they are honest and accurate when posting information or news, and if a mistake is made, correct it quickly.
- Be open about any previous posts that have been altered.
- Remember that the internet archives almost everything; therefore, even deleted postings can be searched.
- Never post any information or rumors that you know to be false about the City, fellow employees, citizens, suppliers, or people working on behalf of the City.
- Maintain the confidentiality of the City's private or confidential information. Examples may include information regarding the development of an area, proposed industry, products, know-how, and technology.
- Do not post internal reports, policies, procedures, or other internal business-related confidential communications.
- Do not create a link from your blog, website, or other social networking site to a City of Columbia website.
- The City prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation.
- Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Employees should not speak to the media on the City's behalf without authorization from the City Manager's Office. All media inquiries should be directed to them.

A social media site is subject to Tennessee's Public Records Act (T.C.A. § 10-7-101, *et seq.*) and Open Meetings Act (T.C.A. § 8-44-101, *et seq.*) and no social media site shall be used to circumvent or otherwise be in violation of these laws. All information posted on a social media site shall be a public record and subject to public inspection. All lawful records requests for information contained on a social media site shall be fulfilled by the City Manager's Office and any employee whose assistance is necessitated. Every social media site shall contain a clear and conspicuous statement referencing the aforementioned state laws. All official postings on a social media site shall be preserved in accordance with the City's records retention schedule.

SECTION 800

SUBSTANCE ABUSE POLICY

Personnel

801 - SUBSTANCE ABUSE POLICY August 12 2021 21-40

The City of Columbia is committed to providing a safe work environment and to fostering the well-being and health of its employees. Employees of the City must foster the public trust by earning and preserving a reputation for integrity, honesty, and responsibility. That commitment is jeopardized when any City employee illegally uses drugs on or off the job, comes to work under their influence, possesses, distributes or sells drugs in the workplace, or abuses alcohol on the job. Therefore, the City of Columbia has established the following policy, pursuant to the Tennessee Drug Free Workplace Act.

The word “abuse” means the use of illegal drugs, the use of prescription drugs without a legal prescription, the use of prescription drugs other than in accordance with a legal prescription, the use of non-prescription drugs other than for the manufacturer’s indicated symptoms and in accordance with the manufacturer’s recommended dosages unless otherwise directed by a licensed health care provider, the use of alcohol while acting within the scope and in the course of employment for the City, and/or being under the influence of alcohol while acting within the scope and in the course of employment for the City.

To provide a safe, healthy, productive, and drug-free working environment for its employees to properly conduct the public business, this policy is intended to comply with: (1) the Drug-Free Workplace Act of 1988, which ensures employees the right to work in an alcohol and drug-free environment and to work with persons free from the effects of alcohol and drugs; (2) Federal Highway Administration (FHWA) rules, which require drug and alcohol testing for persons required to have a commercial driver’s license (CDL) in order to perform functions of their City job; and (3) the Omnibus Transportation Employee Testing Act of 1991, which requires alcohol and drug testing of safety-sensitive employees and related U.S. Department of Transportation (DOT) rules which specify procedures for urine drug testing and breath alcohol testing, and the Tennessee Drug Control Act of 1989 as amended to date or as amended in the future.

It is the policy of the City that the abuse of drugs by its employees, and impairment in the workplace due to the abuse of drugs and/or alcohol, are prohibited and will not be tolerated. Engaging in prohibited and/or illegal conduct may lead to dismissal. Prohibited and/or illegal conduct includes but is not limited to:

- Being on duty or performing work in or on City property while using or under the influence of any one or more of the following: illegal drugs, prescription drugs without a legal prescription, prescription drugs other than in accordance with a legal prescription, non-prescription drugs other than for the manufacturer’s

indicated symptoms and in accordance with the manufacturer's recommended dosages unless otherwise directed by a licensed health care provider, and/or alcohol;

- Engaging in the manufacture, sale, distribution, use, or possession of alcohol or illegal drugs or prescription drugs without a legal prescription at any time, whether or not on duty or while in or on City property;
- Refusing or failing a drug and/or alcohol test administered pursuant to this substance abuse policy;
- Providing an adulterated, altered, or substituted specimen for testing;
- Use of alcohol within four hours prior to reporting for duty on schedule or use of alcohol while on-call for duty; and
- Use of illegal drugs or prescription drugs without a valid prescription at any time within eight hours following an accident/incident if the employee's involvement has not been ruled out as a contributing factor in the accident/incident or until the employee has completed drug and/or alcohol testing procedures.

This substance abuse policy does not prohibit the appropriate use of either legally prescribed or non-prescription or over the counter medication that does not adversely affect the mental, physical, or emotional ability of the employee to safely and efficiently perform his or her job-related duties. It is the employee's responsibility to inform the proper supervisory personnel of his or her use of any legally prescribed or over the counter non-prescription medication that may adversely affect the mental, physical, or emotional ability of the employee to safely and efficiently perform his or her job-related duties before the employee goes on duty or performs any work for the City.

Employees who are not in an official on-call status and who are called in to work outside their normal duty hours to perform emergency or otherwise unscheduled work are required to report any recent consumption of alcohol to the supervisor making the work request and, if any alcohol has been recently consumed, are to decline the request to report to work. The employee in this instance shall not be disciplined for failure to report to work. Employees who have been notified of the likelihood of being called back to perform emergency work, shall refrain from consuming alcohol.

In order to educate employees about the dangers of drug and/or alcohol abuse, the City shall sponsor a substance abuse policy information and education program for all employees and supervisors. Information will be provided on: (1) the signs and symptoms of drug and/or alcohol abuse; (2) the effects of drug and/or alcohol abuse on an individual's health, work, and personal life; (3) the City's policy regarding drugs and/or alcohol; and (4) the availability of counseling. The Human Resources Director has been

designated as the City official responsible for so informing and educating the City workforce regarding this substance abuse policy and its implementation.

Scope

This substance abuse policy which is based on the FMCSA (Federal Motor Carrier Safety Administration) standards applies to all employees of the City, except that the random drug and alcohol testing referenced below shall be required only of certain categories of employees identified and listed below. Post-offer/pre-employment drug abuse testing policies and procedures of this substance abuse policy apply to applicants who have been given a conditional offer of employment from the City.

Prohibited Drugs

All drug abuse test results will be reported to the medical review officer (MRO). If positive results are verified by the MRO, they will be reported to the Human Resources Director. The following is a list of drugs for which tests will be routinely conducted:

- Marijuana metabolites,
- Phencyclidine (PCP),
- Amphetamines (includes Methamphetamines, MDA),
- Codeine/Morphine
- 6-AM (Heroin)
- Hydrocodone/Hydromorphone
- Oxycodone/Oxymorphone
- Alcohol

Drug-Abuse Testing Procedures

The City may test for any additional substances listed under the Tennessee Drug Control Act of 1989 as amended to date or as amended in the future. Drug-abuse testing will be accomplished as non-intrusively as possible. Affected employees will be taken by a supervisor or designated personnel of the City to a drug test collection facility selected by the City where a urine sample will be taken from the employee in privacy. The urine sample will be immediately sealed by personnel overseeing the specimen collection process after first being examined by these personnel for signs of alteration, adulteration, or substitution. The sample will be placed in a secure mailing container. The employee will be asked to complete a chain-of-custody form to accompany the sample to a laboratory selected by the City to perform the analysis on collected urine samples.

Compliance with Substance Abuse Policy

Compliance with this substance abuse policy is a condition of employment. The failure or refusal by either an applicant for employment or a current employee to cooperate fully or the failure or refusal to submit to any test or any procedure under this policy in a timely

manner, is cause for the City to rescind a conditional offer for employment or for the City to discipline a current employee. The submission by either such person of a urine specimen or sample that is not his or her own or is adulterated is also cause to rescind a conditional offer to hire or for disciplinary action up to and including dismissal.

Any employee convicted of violating a criminal drug or alcohol statute shall inform the head of his or her department and Human Resources of such conviction (including pleas of guilty and ***nolo contendere***) within five calendar days of the conviction occurring. Failure to so inform the City subjects the employee to disciplinary action up to and including dismissal for the first offense.

Consequences of a Verified Positive Drug Test Result, A Confirmed Positive Alcohol Test Result, and/or Refusal to Test

Job applicants will be denied employment with the City and any conditional offer of employment will be rescinded if their pre-employment drug test results have been verified by the City's Medical Review Officer (MRO) as positive or if they refuse to submit to a pre-employment test for drug abuse.

If a current employee fails a test for alcohol (0.04 BAL or greater), or if a current employee's positive drug test result has been verified by the City's MRO, or if a current employee refuses to test for drugs and/or alcohol, then that employee must be referred to the substance abuse professional of the City. Prior to returning to work for the City, such an employee must be assessed by the City's SAP, must, to the satisfaction of the SAP, comply or be in the process of complying with all recommendations of the SAP, and must submit to return-to-duty substance abuse testing that produces a verified negative result.

If a current employee tests positive for alcohol (0.02 BAL or greater), or if a current employee's positive drug test result has been verified by the City's MRO, or if a current employee refuses to test for drugs and/or alcohol, then that employee is subject to immediate removal from any safety-sensitive function and will be subject to disciplinary action up to and including dismissal. Factors to be considered in determining the appropriate disciplinary response include: the employee's work history, length of employment, current work assignment, current job performance, and existence of past disciplinary actions. The City may choose to allow employees to participate in an education and/or treatment program approved by the City's Employee Assistance Program as an alternative to or in addition to disciplinary action. If such a program is offered and accepted by the employee, then the employee must satisfactorily participate in and complete the program as a condition of continued employment. The employee will

be required to authorize the Human Resource Director to obtain information regarding the treatment and progress of the employee as may be necessary.

Drug and Alcohol Abuse Testing

An applicant or employee must carry and present a current and recent photo ID to appropriate personnel during drug abuse testing. Failure to present a photo ID is equivalent to refusing to take the drug abuse test. Employees and applicants may be required to submit to drug abuse testing under the following separate conditions:

Post Offer/Pre-Employment Testing

All applicants who have received a conditional offer of employment with the City must undergo a drug test that produces a verified negative drug screen result before beginning work with the City.

Post-Accident/Post-Incident Testing

Immediately following any workplace accident/incident determined by the department head:

- to involve collision with any other vehicle.
- to involve behavior indicating impairment that could be the result of drug use or alcohol use; or
- which resulted in significant property damage; or
- in personal injury requiring treatment at a medical facility; or
- receives a traffic citation whether involved in a vehicle accident or not; or
- involves a member(s) of the public including vehicle accidents; the employee is required to undergo post accident/post incident drug and alcohol testing.

In cases where impairment is suspected, the supervisor will accompany the employee to the lab. The employee will remain **off the job pending a negative test result.**

Post-accident/post-incident drug and alcohol testing shall be carried out as soon as possible but within 32 hours following the accident/incident.

Any testing for additional substances listed under the Tennessee Drug Control Act of 1989 as amended shall be performed at the urinary cutoff level that is normally used for those specific substances by the laboratory selected.

Post-Accident/Post-Incident Testing For Ambulatory Employees

Following all workplace accidents/incidents where drug testing is to be performed, unless otherwise specified by the department head, affected employees who are ambulatory will be taken by a supervisor or designated personnel of the City to the designated urine

specimen collection site as soon as possible but within 32 hours following the accident/incident.

No employee shall delay his or her appearance at the designated collection site(s) for post-accident/post-incident testing. Any unreasonable delay in providing specimens for drug and alcohol testing shall be considered a refusal to cooperate with the substance abuse program of the City and shall result in disciplinary action up to and including dismissal.

If the City receives a verified positive drug test result, or a verified adulterated or substituted drug or alcohol result, the employee will immediately be removed from performing their job duties.

If the City receives an alcohol test result of 0.04 or higher, the employee will be immediately removed from performing their job duties. If the alcohol test result is 0.02—0.039, the employee will be temporarily removed from performing safety-sensitive functions, as provided in applicable DOT agency regulations.

When an employee has a verified positive, adulterated, or substituted test result, or has otherwise violated a DOT agency drug and alcohol regulation, they will not be permitted to perform their job functions until or unless the employee successfully completes the return-to-duty process.

If the City receives a drug test result indicating that the employee's urine specimen test was cancelled because it was invalid, a second collection must take place under direct observation.

Post-Accident/Post-Incident Testing For Non-Ambulatory Employees

An affected employee who is seriously injured, non-ambulatory, and/or under professional medical care following a significant accident/incident shall consent to the obtaining of specimens for drug testing by qualified, licensed attending medical personnel and consent to specimen testing. Consent shall also be given for the attending medical personnel and/or medical facility (including hospitals) to release to the MRO of the City appropriate and necessary information or records that would indicate only whether specified prohibited drugs (and what amounts) were found in the employee's body. Consent shall be granted by each employee at the implementation date of the substance abuse policy of the City or upon hiring following the implementation date.

Post-accident/post-incident urinary consent and testing may be impossible for unconscious, seriously injured, or hospitalized employees. If this is the case, certified or

licensed attending medical personnel shall take and have analyzed appropriate specimens to determine if drugs were present in the employee's body. Only an accepted method for collecting specimens will be used. Any failure to perform post-accident/post-incident testing within 32 hours must be fully documented by the attending medical personnel.

Reasonable Suspicion Testing

Drug and alcohol abuse testing is required for each employee whenever there is reasonable suspicion to believe the employee is using or is under the influence. That employee must submit to a drug or alcohol abuse test that produces a verified negative drug screen result prior to continuing to work for the City.

The decision to test for reasonable suspicion must be based on a reasonable and articulate belief that the employee is using or is under the influence of drugs or alcohol. This belief should be based on recent, physical, behavioral, or performance indicators of possible drug or alcohol use. Once a supervisor has received drug detection training that complies with DOT regulations, he/she must make the decision to test and must observe the employee's suspicious behavior, and shall take or may designate someone else to take the employee to the testing site.

Supervisory personnel of the City making a determination to subject an employee to drug or alcohol testing based on reasonable suspicion shall document their specific reasons and observations in writing and discuss the situation with the Personnel Director prior to the testing being performed.

Random Testing

The following employees of the City are subject to random drug and alcohol testing:

- those employees required to have a commercial driver's license (CDL) in order to perform any functions of their City job;
- suppression personnel of the Fire Department;
- sworn personnel of the Police Department; and
- employees who are otherwise considered by the Human Resources Director to work in a safety-sensitive position.

The City will perform random testing on fire suppression, sworn police and other safety sensitive personnel at the same percentage as required by the Department of Transportation for CDL testing.

Random drug abuse testing dates will be unannounced with unpredictable frequency. Some employees may be tested more than once each year while others may not be tested at all, depending upon the random selection.

If an employee is unavailable (e.g., on vacation leave, sick leave, out of town, work-related causes, etc.) to produce a specimen on the date random drug abuse testing occurs, the City may omit that employee from that random testing or await the employee's return to work.

Return to Duty and Follow-up Testing

Prior to returning to work for the City, any employee who has violated the prohibited drug and alcohol conduct standards:

- must submit to a return-to-duty drug or alcohol abuse test that produces a verified negative result;
- must be referred to the substance abuse professional (SAP) of the City;
- must be assessed by the SAP of the City; and
- must, to the satisfaction of the SAP, comply or be in the process of complying with all recommendations of the SAP.

Follow-up drug and alcohol abuse tests will be unannounced, and at least six drug and alcohol abuse tests will be conducted in the first twelve (12) months after such an employee returns to duty. Follow-up drug and alcohol abuse testing may be extended for up to 60 months following return to duty.

Drug-Abuse Testing: Laboratory Standards and Procedures

All collected urine samples will be sent to a laboratory that is certified and monitored by the Federal Department of Health and Human Services (DHHS).

Each urine specimen is divided into two bottles labeled as a "primary" and a "split" specimen. Both bottles are sent to a laboratory. Only the primary specimen is opened and used for the urinalysis. The split specimen bottle remains sealed and is stored at the laboratory.

If the analysis of the primary specimen confirms the presence of drugs, the employee has 72 hours to request sending the split specimen to another Federal Department of Health and Human Services (DHHS) certified laboratory for analysis. The employee will be required to pay for his or her split specimen test(s).

Neither the City, the laboratory, nor the MRO shall disclose any drug test results to any other person except under written authorization from the affected applicant/employee,

unless such results are necessary in the process of resolution of accident/incident investigations, requested by court order, or required to be released to parties (i.e., DOT, the Tennessee Department of Labor, etc.) having a legitimate right-to-know as determined by the City Attorney.

The City will not engage in "stand-down," the practice of temporarily removing an employee from the performance of duty unless an initial report from a laboratory indicates a positive test for a drug or drug metabolite, an adulterated test, or a substituted test is submitted. In addition for alcohol, a result of 0.04 or higher will require "stand down". In this situation an employee will be placed on un-paid administrative leave.

Voluntary Disclosure of Drug and/or Alcohol Use

In the event that an employee is either dependent upon or an abuser of drugs and/or alcohol and sincerely wishes to seek professional medical care, then that employee should voluntarily discuss his or her problem with the respective department head or Human Resources in private. Such voluntary desire for help with a substance abuse problem will be accommodated by the City. If substance abuse treatment is required, the employee will be removed from duty and put on leave pending completion of the treatment. Voluntary disclosure must occur before an employee is notified of or otherwise becomes subject to a pending drug and/or alcohol test.

Affected employees of the City are entitled to up to 30 consecutive calendar days for initial substance abuse treatment. However, the employee must use all vacation, sick, and compensatory leave available. In the event accumulated vacation leave, sick leave, and compensatory leave is insufficient to provide the medically prescribed and needed treatment for up to a maximum of 30 consecutive calendar days, the employee will be provided leave without pay for the difference between the amount of accumulated leave and the number of days prescribed and needed for treatment up to the maximum 30-day treatment period. Any leave used for this purpose shall be considered family and medical leave pursuant to the Family and Medical Leave Act.

Prior to any return-to-duty consideration of an employee following voluntary substance abuse treatment, the employee shall provide the Human Resources Director with a written statement from the substance abuse professional of the City that indicates satisfactory compliance, or satisfactory progress toward compliance, with the recommendations of the SAP. The SAP may suggest conditions of reinstatement of the employee that may include after-care and return-to-duty requirements. Random testing may be required for up to sixty months after the employee has returned to work. These conditions of reinstatement must be met by the employee. Failure of the employee to complete

treatment or follow after-care conditions, or subsequent failure of any drug or alcohol test under this policy will result in dismissal.

Modification of Policy

This statement of policy may be revised by the City at any time to comply with applicable Federal and State regulations that may be implemented, to comply with judicial rulings, or to meet any changes in the work environment or changes in the drug and alcohol testing policy of the City.

SECTION 900

EMPLOYEE CONDUCT

901 - PROFESSIONAL CONDUCT

Employees of the City of Columbia shall at all times conduct themselves in a manner which does not bring discredit to themselves or the City. It is the policy of the City to establish and maintain the highest standards of conduct and appearance.

Employees shall be courteous, civil, and respectful to all persons and shall make every effort to meet the needs of citizens requesting assistance. Employees shall not use abusive, indecent or profane language or gestures in the workplace, in the performance of their duties or in the presence of a member of the public. All employees shall perform their duties in a manner that is fair, impartial, and without prejudice toward any person or group. Employees shall not argue unnecessarily with any person or otherwise show a lack of self-control. Employees shall not ridicule, or defame any employee, elected official or any other person or any agency of the City of Columbia.

Any employee shall, without undue delay, report to their supervisor any custodial arrest or criminal charge taken against the employee. Such report shall include information relating to the alleged offense, date, time, location, and a copy of any relevant documents.

Ethical Standards

To avoid becoming involved or implicated in a conflict of interest or impropriety or an appearance of conflict of interest or impropriety, employees shall not use his/her office or confidential information received in an official capacity for any private purpose. Examples include: commercial purposes, financial gain, present or future employment or gain for himself or herself, a member of his or her immediate family, or business with which he or she is associated.

902 - ETHICS AND CONFLICT OF INTEREST

This policy applies to all full-time and part-time, elected and appointed officials, and employees. Officials and employees are required to disclose prior to voting or recuse themselves if they have any personal interest that may affect or would lead a reasonable person to infer that it would affect a vote.

Acceptance of Gratuities, Gifts, and Business Courtesies

The City of Columbia prohibits the acceptance of any item of value (remuneration) made directly or indirectly, in cash or in kind, that may induce or appear to induce the purchase or referral of any kind of goods, services, or items. Consequently, the acceptance of any gifts or business courtesies from vendors or others with whom we presently or potentially conduct business that would violate this is strictly prohibited.

Receiving Gifts

In all instances, the following criteria must be met in order to accept a gift:

- Acceptance of said gift must never be made conditioned on or related in any way to pre-existing or future business relationships with the individual, business or industry; and
- Promotional items such as pens, notepads, mugs or similar items may be accepted from a vendor or business associate as long as they are nominal in value (\$10 or less per instance and no more than \$50 in the aggregate annually); and
- Cash or cash equivalents such as gift certificates, stocks, bonds, etc. from outside entities or non-employed individuals are prohibited.

It is acceptable for a department to accept a modest perishable gift such as a floral arrangement, box of cookies, candy or similar food items to be shared by staff members.

Social Events and Business Courtesies

There may be times when it is permissible to accept a meal or other invitation offered by a current or potential business associate. However, the purpose must never be to induce or influence a business transaction. As a general rule, the cost must be reasonable. If the occasion appears extravagant or if the invitation could be perceived as intended to influence a business decision involving the City, attendance at such an occasion is prohibited.

To be acceptable, the occasion must conform to the following guidelines:

- The cost and location must be reasonable and not extravagant; and

- Paid expenses for any travel costs or overnight lodging for the individual or his/her family are prohibited; and
- The invitation is for an ordinary business meal or gathering during which the host is present and business is conducted; and
- Acceptance of such an invitation from an individual or entity is rare unless expenses are shared by both parties; and
- Business courtesies of personal benefit, such as a pair of tickets or invitations to sporting events, theatrical events, or golf outings may not be accepted.

Use of Information

An official or employee may not disclose any information obtained in his/her official capacity or position of employment that is made confidential under State or Federal law except as authorized by law. In addition, officials and employees of the City cannot use or disclose information obtained in their official capacity or position of employment that would result in financial gain for themselves or any other person or entity.

Except for the receipt of such compensation as may be lawfully provided for the performance of City duties, and as noted below, no City official or employee shall be privately interested in or profit, directly or indirectly, from business dealings with, of or by the City.

No City official or employee shall enter into a contract with the City or perform any work or function under any contract with the City if he or she has a direct or indirect financial interest in the contract, unless all of the following conditions are met:

- the contract is awarded through a process that complies with the City's purchasing requirements;
- the service performed must not be any service which the employee might provide in the normal scope of their regular duties for the City;
- the service performed must not present a conflict of interest nor a conflict of time with the employee's regular duties for the City; and
- the City Manager makes a formal finding that it is in the best financial interest of the City to do so after full disclosure on the part of the employee of his or her direct or indirect financial interest in the contract, and the City Manager's finding and the employee's full financial disclosure are recorded on the minutes of the City Council in open session.

903 - PERSONAL HYGIENE AND DRESS CODE

Employees shall maintain personal hygiene so as not to affect the health and safety of others or cause any disruption or distraction in the workplace. Employees shall not wear perfume, cologne, aftershave, etc. to an extent that is offensive or distracting, and must be mindful of others who may have health concerns, such as allergies and/or low tolerances, when exposed to fragrances.

Although the City has no formal dress code for non-uniformed employees, such employees are to wear clothing suitable to the type of work done and to the environment in which the employee works. Employees and their clothing should be neat, clean, and in good taste, and should not constitute a safety hazard. Employees are to consult with their supervisor or department head for guidance on and interpretation of this policy. Items of casual clothing that, in the opinion of the department head, are inappropriate for a work environment or disruptive to other employees will not be permitted. Employees arriving at work dressed inappropriately will be sent home to change, with no pay for time so spent, unless vacation leave is used.

TATTOOS, BODY ART AND BODY MODIFICATION

The purpose of the tattoo policy is to promote the uniformity of appearance, to maintain neutrality and the perception of neutrality amongst members of the public, to prevent discrimination or the perception of discrimination amongst members of the public, to encourage public confidence in City employees. Therefore, tattoos cannot be visible on an employee's face, neck or hands.

Employees of the City of Columbia are prohibited from publically displaying offensive body art, tattoos, brands, intentional scarring and/or mutilations. Examples include, but are not limited to:

- **Extremist tattoos** - These are tattoos or brands "affiliated with, depicting, or symbolizing extremist philosophies, organizations, or activities." This would include tattoos that: feature philosophies, groups or activities that promote racial or gender intolerance; encourage discrimination based on numerous factors, including race, gender and religion; advocate violence or "other unlawful means of depriving individual rights under the U.S. Constitution, and Federal or State law."
- **Indecent tattoos** - These include tattoos or brands that are "grossly offensive to modesty, decency, propriety, or professionalism."
- **Sexist tattoos** - These include tattoos and brands that advocate a philosophy that degrades or demeans a person based on gender.

- **Racist tattoos.** Tattoos or brands that "advocate a philosophy that degrades or demeans a person based on race, ethnicity, or national origin".
- **Body Modification** - Extreme body modification, such as "tongue splitting" and branding; as well as permanent markings that are difficult to reverse.

Some departments may have more restrictive policies regarding tattoos, body art or modification based on the work performed. Check with the Department Head to get further clarification.

904 - ATTENDANCE

Absenteeism is a disruptive and costly problem in the workplace. Therefore, being at work each day and on time is important. The City expects all employees to display responsibility for their attendance and promptness.

It is the employee's responsibility to notify his or her supervisor as far in advance as possible when any absence from work is necessary. An employee absent without notice for three (3) consecutive days will be considered as having abandoned their position, unless justifiable reasons existed that prevented reporting the absence. After the third day of absence the supervisor will complete a personnel action form to terminate employment.

TARDINESS

Employees are to report to the work area on time. An employee is considered tardy if not at the workstation ready to perform work at the designated time for the shift to begin. If an emergency keeps an employee from reporting on time, he or she should contact his or her department head or supervisor immediately.

905 - EMPLOYEE RECORDS August 12 2021 21-40

Collection, Retention, and Use of Personal Information

The Human Resources Department shall serve as the official and central depository of all employee records of the City and shall maintain a separate file of each employee's employment records. Medical information about each employee shall be kept confidentially and separate from the employee HR files.

Each department head may maintain a separate employee file on each employee in his or her charge, including copies of performance evaluations (performance evaluation originals are to be placed in the Human Resources Department's HR file for that employee) plus attendance records, notes, memos, letters, or other information related to an employee's job performance. A department head's employee file shall be transferred to the Human Resources Department file when that employee separates from the City.

Access to Employee Records

The Human Resources Director will control, pursuant to law, access to the Human Resources Department's employee files. Department heads and supervisors may not divulge the contents of their respective employee files except to their superiors, on request, or to those who have a legitimate need to know the information, and then only pursuant to official procedure.

An employee may review any of his/her own files for himself or herself at any time during normal business hours of the City, but only in the presence of an authorized representative of the Human Resources Department. Employees may take notes or may request the Human Resources Department representative to copy any of the file's contents.

Any question about the information accuracy must be referred to the employee's department head or to the Human Resources Director. If the employee disagrees with any information found therein, the employee may place a written disagreement, which will be attached to the specific document, in the files.

Any external request for information from any employee files maintained by the City must be referred to the Human Resources Department. Only the Human Resources Director, the employee's department head and the City Manager are authorized to disclose information about employees to outside inquirers, and then only in compliance with the redacting provisions of T.C.A. § 10-7-504.

The City will disclose employee information to prospective employers of current or former employees as necessary. In most cases, such disclosures will be limited to confirming the dates of employment, title or position, job location, and wage and salary.

906 - PRIVACY AND WORKPLACE SEARCHES

The City of Columbia will balance an employee's expectation of privacy against the City's need for supervision, control, and the efficient operation of the workplace when performing a search.

All City property is subject to inspection and periodic searches by authorized personnel and officials at any time without notice. Employees' personal property kept at the workplace, is subject to inspection. There should be no expectation of privacy in or on such property. Property includes, but is not limited to, computers, phones, vehicles, desks, containers, files, and lockers.

Locked property assigned to individual employees is also subject to such inspection. Employees may be requested to open such property for periodic housekeeping, inspections, or other occasions when it is appropriate and/or necessary, as there is no expectation of privacy. Any suspicious activity around such property, as well as break-ins and thefts, should be reported to the employee's supervisor or department head as soon as possible. The City will not be responsible for loss or damage to any personal property.

907 – SUGGESTIONS FOR IMPROVEMENT

The City constantly seeks to improve its operating procedures and encourages its employees to make suggestions toward this end. Suggestions are welcome on such subjects as workplace safety, safety in interior and exterior areas controlled and/or maintained by the City that are accessible by and to the general public, and methods to improve operating efficiencies by saving labor, money, energy, time, and material. Employees may submit suggestions through their representative to the Workplace Safety Committee or Action Team.

908 – PROHIBITION OF SOLICITATIONS AND PEDDLING

Solicitations for donations or contributions and peddling of goods or services among employees in City work areas or during City work time, other than as authorized by the department head or City Manager is strictly prohibited. This prohibition applies both to employees and outsiders. Solicitation of gifts (for such occasions as resignations, retirements, weddings, and births) and the City's participation in the annual United Way campaign are considered authorized. Designated employee lunchrooms or rest areas are not considered work areas for the purposes of this policy. No pressure of any kind is to be placed on any employee to make any donations, contributions or purchases.

909 - GAMBLING

The City takes the position that gambling among its employees can lead to bad morale, hard feelings, and financial hardships. Therefore, gambling is prohibited on City property and/or during City-paid work time and will be a cause for discipline.

910 - HARASSMENT POLICY

The City of Columbia strictly forbids harassment of any employee, applicant for employment, vendor, contractor or volunteer, on the basis of an individual's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, sexual orientation, gender identity or expression, genetic information, or any other characteristic protected by law. The City has adopted this policy on harassment to try to prevent harassment from occurring in the workplace, and will take immediate, positive steps to stop such harassment when it occurs.

In addition, the City will not tolerate any form of retaliation directed against an employee or third party who either complains about harassment or who participates in any investigation concerning harassment.

This policy applies to all officers and employees of the City, including but not limited to all elected officials; all officers and appointees; all members of boards, commissions and committees; the City Manager and all categories of other employees identified and described in these personnel policies and procedures; and any other individuals while they are working under contract or other agreement, expressed or implied, for the City.

Prohibited Actions and Behaviors

Any unwelcome verbal, written or physical conduct that either denigrates or shows hostility or aversion towards a person.

Sexual Harassment

Any unwelcome sexual advance, request for sexual favors, or verbal, written or physical conduct of a sexual nature by a manager, supervisor, co-worker, or non-employee (third party who has business interactions with the City).

The following actions and behaviors constitute sexual harassment and, as such, are an unlawful employment practice and are absolutely prohibited by the City when they affect employment decisions, create a hostile job environment, cause distractions, or unreasonably interfere with work performance:

- sexual advances or requests for sexual favors;
- verbal or physical conduct of a sexual nature in the form of pinching, grabbing, patting, or propositioning;
- explicit or implied job threats or promises in return for submission to sexual favors;
- sex-oriented comments on appearance;

- sex-oriented stories, jokes or other communication, whether spoken or written, verbal or non-verbal;
- displaying sexually explicit or pornographic material, no matter how the material is displayed; and/or
- sexual assault.

Sexual harassment includes conduct directed by men toward women, conduct directed by men toward men, conduct directed by women toward men, and conduct directed by women toward women.

Making Harassment Complaints

Employees and third parties should report incidents of workplace harassment as soon as possible after the incident occurs.

Employees and applicants for employment seeking to remedy workplace harassment may file a complaint with the Human Resources Director, their supervisor(s), or the department head. **Under no circumstances shall the individual alleging harassment be required to file a complaint with the alleged harasser.**

Employees and third parties who make complaints of workplace harassment, or provide information related to such complaints, will be protected against retaliation. If retaliation occurs, the employee(s) should report the retaliation through the harassment complaint procedure.

An employee who believes he or she is or has been subjected to harassment should immediately contact a City official with whom the employee feels the most comfortable.

At the time of making a complaint, the employee should be prepared to provide the following information in writing, with the assistance if necessary of the person to whom the complaint is being made:

- his or her own name, department, and position title;
- the name of the person or people allegedly committing the harassment, including their title(s), if known;
- the specific nature of the alleged harassment, when and where it took place, and how long it has gone on;
- any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against the employee that may be related to the alleged harassment, or any other threats made against the employee that may be related to the alleged harassment;
- any witnesses to the alleged harassment; and

- whether the employee has previously reported the alleged harassment and, if so, when and to whom.

Reporting and Investigating Harassment Complaints

The Human Resources Director is the person the City designates as the investigator of harassment complaints against employees. In the event the harassment complaint is against the Human Resources Director, the investigator shall be the City Attorney.

Throughout the harassment investigation, whenever a specific number of City business days are allowed to respond to a complaint of harassment or to an investigation report on a complaint of harassment, then the "City business days" in question shall be those worked days normal to the person responsible for the next action. For these purposes, "City business days" do not include days on which that person is either on authorized leave or out of town on City business.

When an allegation of harassment is made by any employee, the person to whom the complaint is made shall immediately forward the information to the investigator.

The investigator then shall:

- conduct a thorough investigation of the complaint, including at a minimum interviewing the person complaining of harassment, the person against whom the complaint of –harassment was made, any witnesses to the alleged harassment, any other persons who may have information pertinent to the allegation(s) and make and keep a written record of the investigation, including notes on:
 - responses made to the investigator by the person complaining of harassment;
 - responses made to the investigator by the person against whom the complaint of –harassment was made;
 - responses made to the investigator by witnesses interviewed during the investigation;
 - responses made to the investigator by any other person contacted by the investigator in connection with the investigation;
- within five (5) City business days of receiving the complaint, prepare and present the findings of the investigation to the City Manager (or, if the complaint is against the City Manager, then to the City Attorney) in a report, which will include:
 - the original complaint and any additional written statement of the person complaining of harassment,
 - any written statement(s) of the person against whom the complaint of harassment was made,

- any written statements of witnesses,
- any written statements of any other person contacted by the investigator in connection with the investigation, and
- maintain all of the investigator's notes connected to the investigation.

Action on Harassment Complaints

Upon receiving an investigation report of a harassment complaint, the City Attorney shall immediately review the report. If the City Attorney determines that the report is not complete in some respect, he or she may question the person complaining of harassment, the person against whom the complaint has been made, witnesses to the conduct in question, or any other person who may have knowledge about the alleged harassment.

Based upon the report and his or her own investigation (if a separate investigation is made), the Human Resources Director and City Attorney shall, within five (5) City business days of receiving the investigation report, determine whether the conduct in question constitutes harassment. In making that determination, the Human Resources Director and City Attorney shall look at the record as a whole and at the totality of circumstances, including the nature of the conduct, the context in which the alleged actions occurred, and the behavior of the person complaining. Determination of harassment will be determined on a case-by-case basis.

If it is determined that the harassment complaint is founded, immediate and appropriate disciplinary action will be taken against the offending employee, consistent with his or her authority under the Charter, Ordinances, Resolutions, and these policies and procedures governing his or her authority to discipline employees.

In the event the complaint of harassment is against the City Manager, then the City Attorney shall review the report of the investigation, and shall advise the City Council on what if any disciplinary action should be taken against the City Manager.

The disciplinary action shall be consistent with the nature and severity of the offense, the employee's rank, and any other factors relevant to the fair and efficient administration of the City. This includes, but is not limited to, the effect of the offense on employee morale, public perception of the offense, and the impact on the City. The disciplinary action may include demotion, suspension, dismissal, warning, or reprimand. Determining the level of disciplinary action shall be made on a case-by-case basis. A written record shall be kept of imposed disciplinary actions, including reprimands.

In all events, an employee against whom a complaint of harassment has been made shall be warned not to retaliate in any way against the person making the complaint, witnesses,

or any other person connected with the investigation. Any employee who engages in conduct determined to be harassment, or who encourages such conduct by others, shall be subject to corrective action which may include discharge from employment.

Managers and/or supervisors who allow workplace harassment to continue or fail to take appropriate corrective action upon becoming aware of the harassment may be considered a party to the offense, even though they may not have engaged in such behavior.

In cases where harassment is committed by a non-employee against an employee in the workplace, the City Manager shall take whatever lawful action is necessary against the non-employee to bring the harassment to an immediate end.

Obligation of Employees

Employees are not only encouraged to report instances of harassment; they are obligated to report them. Employees are also obligated to cooperate in every harassment investigation. The obligation includes, but is not necessarily limited to, coming forward with evidence about a person accused of such conduct, fully and truthfully making reports, and answering questions when required to do so by an investigator. Employees are also obligated to refrain from making frivolous accusations of harassment in bad faith.

Disciplinary action may be taken against employees who fail to report instances of harassment, fail or refuse to cooperate in the harassment investigation, or file a frivolous complaint of harassment in bad faith.

Obligation of Managers and Supervisors

The City Manager, department heads and supervisors are required to:

- Stop any workplace harassment of which they are aware, whether or not a complaint has been made;
- Express strong disapproval of all forms of workplace harassment;
- Stop any acts that are seen which may be considered workplace harassment, and take appropriate steps to intervene;
- Take immediate action to prevent retaliation towards the complaining party or any participant in the investigation; and
- Take immediate action to eliminate any hostile work environment where there has been a complaint of workplace harassment.

911 - WORKPLACE VIOLENCE

The City of Columbia is committed to providing a safe, healthful workplace that is free from violence or threats of violence. The City does not tolerate behavior, whether direct or through the use of City facilities, property or resources that:

- Is violent;
- Threatens violence;
- Harasses or intimidates others;
- Interferes with an individual's legal rights of movement or expression; or,
- Disrupts the workplace, or the City's ability to provide service to the public.

Violent or threatening behavior can include: physical acts, oral or written statements, harassing email messages, harassing telephone calls, gestures and expressions or behaviors such as stalking.

Individuals who engage in violent behavior may be removed from the premises, and may be subject to dismissal or other disciplinary action, arrest and/or criminal prosecution.

Violence in the workplace includes relationship violence that intrudes into the workplace, endangering a person in the relationship or others in the workplace. Relationship violence is physically, sexually, and/or psychologically abusive behavior that a household member or dating partner uses to establish and maintain control over another person.

This policy applies to all City work locations including offices, work sites, vehicles, and field locations.

Verbal or physical conduct that harasses disrupts or interferes with an employee's work performance or which creates an intimidating, offensive or hostile work environment is not permitted. In particular, violence of any kind (including fighting, horseplay, roughhousing and vandalism), verbal harassment, physical harassment, and visual harassment, or the threat thereof, whether in the workplace or during work time or both, is prohibited. Employees engaging in such activity will be subject to disciplinary action up to and including dismissal.

The following items are prohibited on City property, including City owned parking areas, except when issued or sanctioned by and carried and used within the scope of employment for the City or unless the individual possesses a valid permit:

The following items are prohibited on City property, including City owned parking areas, except when issued or sanctioned by and carried and used within the scope of employment for the City or unless the individual possesses a valid permit:

- all types of weapons, including firearms, switchblade knives and knives with a blade longer than four inches;

- dangerous chemicals;
- explosives or blasting caps;
- chains;
- other objects carried for the purposes of injury or intimidation.

Reporting Requirements

The City has established procedures that employees must follow to report incidents of violence in the workplace, or to report concerns about situations that could become violent. These procedures have been created to ensure that incidents receive an appropriate and timely response.

Reporting Urgent Threats

An urgent threat is where there is actual violent behavior, or where it appears that violent behavior is likely to take place, such as a verbal altercation that appears to be escalating.

Call 911, after it is safe to do so, contact the supervisor.

Charges of violence and harassment shall be reported to any supervisor or the Human Resource Director. The Human Resources Director is charged with investigating all cases of workplace violence and harassment. Depending on the severity of the charges or whether a crime is committed, the City Manager may request that the Chief of Police provide assistance to the Human Resources Director or assume responsibility for the investigation. All employees are required to assist in the course of the investigation by providing testimony, statements, and evidence, as required. Failure to cooperate may result in disciplinary action.

If an employee has obtained an order for Victim Protection that includes City location(s) the employee should provide a copy of the order to the Human Resources Department. The Human Resources Department will notify the Police Chief.

Copies of the investigative report with recommendations for appropriate action will be turned over to the department head or City Manager as appropriate for further action. Disciplinary action up to and including dismissal may be taken against any employee who commits acts of workplace violence and harassment.

Orders of Victim Protection

Orders for Victim Protection include the following types of court orders:

- Protection Order
- No Contact Order
- Restraining Order
- Anti-Harassment Order

If an employee has obtained an Order for Victim Protection that includes City location(s) the employee should provide a copy of the order to the Human Resources Department. The Human Resources Department will notify the Police Chief.

912 – REPORTING OF ARREST OR CONVICTION

Pre-Employment Obligation

All candidates for employment shall have the duty to notify the City of any arrest or criminal conviction that occurs subsequent to being hired.

Ongoing Employee Obligation

All employees shall have the ongoing duty to notify the City in the event that any employee, whether full-time or part-time is arrested, charged or indicted for a criminal violation of any kind, whether misdemeanor or felony, with the exception of minor traffic infractions. He or she is required to report such arrest promptly to the department head within one (1) business day unless mitigating circumstances exist.

This reporting requirement applies regardless of whether such arrest has occurred on-duty or off-duty. Failure to comply with this reporting requirement shall be grounds for disciplinary action, up to and including termination.

The City reserves the right to determine appropriate disciplinary action in such cases, up to and including termination, depending upon the facts and circumstances surrounding the incident. However, if an employee is arrested, charged, indicted, or is convicted of one (1) or more felony offenses or made a material misrepresentation or omission on their job application they shall be immediately placed on administrative leave until an investigation can be completed.

913 - CRIMINAL INVESTIGATION/ PROSECUTION / CONVICTION

Criminal Investigation or Prosecution

Whenever the City becomes aware that an employee is the subject of a criminal investigation or prosecution, such employee may, prior to formal charges being filed, be suspended with or without pay pending the outcome of such investigation or prosecution where:

- (1) the employee is suspected of having committed a crime which violates a duty owed to the City (every employee has a duty not to commit a crime within the course and scope of his or her employment or on work premises), **or**
- (2) the employee is suspected of a crime or other offense which, upon conviction, would lessen the public's trust and confidence in the City and its employees.

Any investigation, criminal or otherwise, of a Police Officer employed by the City shall be subject to the provisions of Tennessee Code Annotated.

Criminal Conviction May Result in Termination

Except in case of minor traffic violations, conviction of any crime, whether a misdemeanor or felony, shall result in termination, when:

- (1) the employee is convicted of having committed a crime which violates a duty owed to the City (every employee has a duty not to commit a crime within the course and scope of his or her employment or on work premises), **or**
- (2) the employee is convicted of a crime or other offense which would lessen the public's trust and confidence in the City and its employees.

Conviction of any other crime, whether a misdemeanor or felony, may result in termination as follows: Any employee convicted of a crime committed outside the course and scope of employment and off work premises and sentenced to a term of imprisonment for any extended period, shall be terminated for absence without leave. However, in the event the execution of such sentence is suspended, the foregoing shall have no application.

If an employee is convicted of multiple minor traffic violations he/she may be subject to disciplinary action, including possible termination.

Should an employee be found not guilty in a trial or have a conviction overturned on appeal, such employee may be reinstated with back pay and other benefits to which he or she may be entitled.

Results from court proceedings on criminal charges do not preclude the City's right to terminate employment due to violation of the City's personnel policies and procedures.

914 - POLITICAL ACTIVITY

Except for the Mayor and City Council Members, no City employee shall engage in political activity or support of or opposition to any candidate, party, or measure in any election when on duty or off duty while in uniform or acting in employee's official capacity. When off duty and acting as a private citizen, no City employee shall be prohibited from engaging in political activity or denied the right to refrain from engaging in such activity. No elected official shall engage in political activity in support of or opposition to any candidate other than him/herself in any City election. No employee of the City shall serve on the City council.

No employee shall be coerced by any official, agent or employee of the City for contribution or assessment to any political organizations or member of any committee thereof, nor shall any employee give or promise any party, any office, employment benefit, or anything of value for the purpose of influencing or obtaining the political support, aid or votes of any person or persons. No employee shall appear at the polls while on duty or in uniform in any election, wearing a badge indicating support of any candidate, party, or ticket in such election nor hand out or distribute any literature concerning any candidate, party or ticket involved in such election; nor seek in any other manner to use his/her official position to influence any voter. Nothing herein contained shall be construed as abridging the constitutional and political rights of any City employee to express his/her opinions or to cast their vote.

915 - UNION ACTIVITY

Employees of the City of Columbia will have the right, freely and without fear of penalty or reprisal, to form, join and assist any lawful employee organization, or to refrain from any such activity.

The rights described in this section do not extend to participation in the management of an employee organization, or acting as a representative of any such organization, where such participation or activity would result in a conflict of interest or otherwise be incompatible with law or with the official duties of an employee.

No employee association, union or labor organization activities may be conducted during working hours. In addition, no such activities will be allowed on City premises, and the use of any type of City material or equipment is prohibited. Employees shall not be party to, participate in, or incite any strike and/or work slow down against the City of Columbia.

916 TOBACCO AND E-CIGARETTE USE

In order to provide a clean environment for all employees and visitors and to promote a positive impression of the City operations with the general public, the use of tobacco products, as well as smokeless tobacco and vaping products by employees while acting within the scope and in the course of their employment for the City shall be prohibited.

Department heads shall designate smoking areas outside of and in close proximity to City buildings and spaces where employees typically work; however, no employee shall be permitted to smoke, vape or use e-cigarettes directly in front of any City-controlled building or space including walkways and parking lots typically used by the public. This policy also applies to City vehicles. This policy does not apply to open-air facilities unless smoking therein is prohibited by other policies. Employees who violate this policy will be subject to disciplinary action. Visitors and other non-employees who violate this policy shall be advised by employees of the policy and requested to discontinue use of e-cigarettes, extinguish smoking materials or to move to a designated smoking area.

Designated smoking areas will be located at least 20 feet from the main entrance of City facilities. Supervisors will discuss the issue of taking breaks with their staff, both smokers and non-smokers. Together they will develop effective solutions that do not interfere with the productivity of the staff.

917 - DISCIPLINE

The City of Columbia may use disciplinary actions to assist supervisors and staff members in resolving unsatisfactory job performance, misconduct, or behavior that violates policies, procedures or practices. Disciplinary procedures will be administered consistently and in a manner that is intended to be corrective. This process is an important component of the City's goal of maximizing and sustaining the performance of its employees, and in maintaining a safe and productive work environment.

Disciplinary actions are usually corrective and progressive in nature; however, serious misconduct and work performance problems, or violation of laws or City policies, procedures and practices, may warrant disciplinary action outside of the progressive approach that is described below, including termination of employment.

The City of Columbia has adopted a progressive discipline policy. Progressive steps will be followed in employee disciplinary matters except in matters the City, its representatives, or its management determine need to be addressed outside of the progressive system.

Normally, the employee's immediate supervisor will administer any appropriate corrective or disciplinary action. Appropriate action will be determined based on factors such as severity, frequency, and degree of deviation from expectations and length of time involved. Because of the great variety of situations that may arise, the City may need to make decisions related to employment in a manner other than as provided in this section.

Disciplinary actions may take place in several forms. The forms of disciplinary actions are: verbal counseling; written counseling; suspensions and dismissals. The City's Human Resources Department should be consulted beforehand when disciplinary action with an employee is necessary.

Staff Dispute Resolution

It is the policy of the City of Columbia to provide a method of work-related dispute resolution to members of the City staff who believe that he or she is affected adversely by the application of a policy, procedure, or practice of the City or a City representative. Staff members have the right to have prompt consideration of the matter by appropriate administrators. (See Grievance Policy)

Behaviors that may Result in Disciplinary Action

Employees are prohibited from engaging in conduct listed below and may receive discipline up to and including dismissal for doing so. This list has been established to serve as examples of behavior that could warrant a range of disciplinary sanctions.

Appropriate levels of discipline may be based on the severity of employee behavior. This list is not exhaustive.

- Displaying disrespectful and/or inappropriate behaviors toward an employee, supervisor or citizen;
- Refusing to do assigned work or failing to carry out the reasonable assignment of a manager, supervisor or department head;
- Being inattentive to duty, including sleeping on the job;
- Falsifying a time card or other City record or giving false information to anyone whose duty is to make such record;
- Being repeatedly or continuously absent or late, being absent without notice or reason satisfactory to the City or leaving one's work assignment without appropriate authorization;
- Failing to report an On the Job Injury (OJI);
- Using tobacco products within no-tobacco areas, operations or any area of the City that must be entered to conduct City business;
- Conducting oneself in any manner which is offensive, abusive or contrary to common decency or morality; carrying out any form of harassment including sexual harassment;
- Operating City-owned vehicles, equipment or private vehicles on City business without proper license or operating any vehicle on City property or on City business in an unsafe or improper manner;
- Having an unauthorized weapon, firearm or explosive on City property;
- Appropriating City equipment, time or resources for personal use or gain;
- Computer abuse, including but not limited to, plagiarism or misuse of computer accounts, unauthorized destruction of files, creating illegal accounts, possession of unauthorized passwords, disruptive or annoying behavior on the computer and non-work related utilization of computer software or hardware;
- Conviction of a felony;
- Misusing or willfully neglecting City property, funds, materials, equipment or supplies;
- Unlawfully distributing, selling, possessing, using or being under the influence of alcohol or drugs when on the job or subject to duty;
- Fighting, engaging in horseplay or acting in any manner which endangers the safety of oneself or others. This includes acts of violence as well as threats of violence.
- Interfering in any way with the work of others;
- Stealing or possessing without authority any equipment, tools, materials or other property of the City or attempting to remove them from the premises without approval or permission from the appropriate authority;

- Marking or defacing walls, fixtures, equipment, tools, materials or other City property, or willfully damaging or destroying property in any way;
- Willful violation of safety rules or City policies.

Oral Reprimand/Counseling

The supervisor will issue a memorandum stating the date of the oral reprimand, what was said to the employee, and the employee's response. The memorandum is to be used for documentation that the counseling occurred. Such a memorandum documenting an oral reprimand is to be placed in the department head's personnel file for that employee and is not to be placed in the Human Resources Department's personnel file for that employee unless the matter is subsequently addressed by additional discipline.

Written Reprimand

In situations where an oral reprimand has not resulted in the expected improvement or when more severe action is warranted, a written reprimand may be given to the employee. The supervisor administering the written reprimand shall confer with and advise the employee that the action is a written reprimand and emphasize the seriousness of the problem; cite previous corrective actions and/or informal discussions relating to the offense; identify the problem and/or explain the offense; inform the employee of the consequences of continued undesirable behavior; detail corrective actions and identify dates by which the corrective actions shall be taken. The employee shall be asked to sign the written reprimand to indicate that he or she has seen the document and to acknowledge receipt of the employee's copy. Should the employee refuse to sign the written reprimand, the supervisor will obtain a witness to sign and date the form and so indicate the employee's refusal to sign.

At the conclusion of the conference with the employee, a copy of the written reprimand shall be placed in the Human Resources Department's personnel file for that employee, along with a copy of any memorandum documenting any oral counseling/reprimand issued previously to that employee on the same or any directly related subject.

Suspension

An employee may be suspended with or without pay by his or her department head with the approval of the City Manager. Employees may elect to use vacation paid time off for suspensions of up to five (5) days. In a suspension resulting in six (6) or more days, employees can only use five (5) days vacation paid time.

A written notice of any proposed suspension shall be provided to the employee. The written notice shall be specific as to times, places and other pertinent facts concerning the charges and shall be provided to the employee as soon as possible by the department head. The notice shall also provide for the employee to be allowed to choose to have a

pre-determination hearing regarding the charges prior to a final decision being rendered by the City Manager. The purpose of the pre-determination hearing is to allow the employee to present information to the City Manager regarding the disciplinary action under consideration.

An employee's written request for a pre-determination hearing must be received by the Human Resources Department within three (3) City business days of the employee receiving the notice of proposed suspension. The employee shall be granted such a hearing, to be held within five (5) City business days of the Human Resources Department's receipt of the employee's request.

The pre-determination hearing shall include the employee, the employee's department head, the Human Resources Director and the City Manager. In the unavoidable absence of the employee's department head, the Human Resources Director or the City Manager within the permitted time-frame, the absent party may appoint a representative for themselves. The pre-determination hearing provides an informal opportunity for the employee to challenge the proposed suspension before the final decision is made as to whether to suspend.

At the pre-determination hearing the employee will be allowed to present written statements of witnesses or any other information to the City Manager regarding the charges under consideration. Attendance and participation by persons other than the City Manager, the department head, the Human Resources Director and the employee is at the discretion of the City Manager. The City Manager shall render the final decision as to whether to suspend within five (5) City business days of the conclusion of the pre-determination hearing.

If the final decision following the pre-determination hearing is not to suspend, then the employee, if already on leave resulting from the suspension, shall be returned to regular duty and, if the suspension was to have been without pay, then the employee shall be paid in full for the length of that leave. If an employee fails to present him/herself at a scheduled pre-determination hearing or fails to request a pre-determination hearing within three (3) City business days of receiving the notice of proposed suspension, then the proposed suspension and its pay status shall become final. All records associated with either an unchallenged or a challenged but affirmed suspension shall become a permanent part of the Human Resources Department's personnel file for that employee.

Dismissal

At times a management-initiated action based on employee misconduct or performance deficiencies may be warranted. When this occurs, the employee will be informed in

writing of the reason(s) for the proposed termination. A Human Resources Department representative must be present at all meetings in which involuntary termination occurs.

Reasons for dismissal may include, but shall not be limited to: misconduct, negligence, incompetence, insubordination, unauthorized absences, falsifying records, or violating any Charter provisions, Ordinances, or these policies. Examples include:

- incompetence or inefficiency in performing duties;
- conviction of a criminal offense or of a malfeasance involving moral turpitude;
- violating any lawful and reasonable regulation, order, or direction made or given by a superior, or insubordination that constitutes a serious breach of discipline;
- while acting within the scope and in the course of employment for the City, using or being under the influence of any alcoholic beverage;
- while acting within the scope and in the course of employment for the City, using or being under the influence of any illegal drug, prescription drug without a legal prescription, prescription drug other than in accordance with a legal prescription, or non-prescription drug other than for the manufacturer's indicated symptoms and in accordance with the manufacturer's recommended dosages unless otherwise directed by a licensed health care provider;
- theft, destruction, carelessness, or negligence of City property;
- disgraceful personal conduct or language toward the public, the City Council, the Civil Service Board, other officials of the City or fellow employees;
- verbal or physical conduct that harasses, disrupts or interferes with an employee's work performance or which creates an intimidating, offensive or hostile work environment, including violence of any kind, verbal harassment, physical harassment, and visual harassment, or the threat thereof, whether in the workplace or during work time or both;
- unauthorized absences or abuse of leave privileges;
- incapacity to perform the essential functions of a job because of a permanent or chronic physical or mental disability that cannot be reasonably accommodated;
- accepting any valuable consideration that was given with the expectation of influencing the employee in performing his or her duties;
- falsifying records and/or documents;
- materially falsifying a statement of fact on, or omitting material information from his or her employment application;
- using official position for personal advantage;
- loss of an employee's driver's license and driving privileges by due process of law in the case of an employee appointed to any position for which a driver's license is required to perform functions of the job;

- willful, egregious or persistent violation of any provisions of the Charter, the Municipal Code, or these personnel policies and procedures.
- falsifying time, is considered a very serious offense and cause for immediate dismissal regardless of an employee's prior work record. Falsifying time includes but is not limited to using any employee's time/identification card to "clock in," in their absence, entering a punch at the time-clock for another employee in their absence, or editing an employee's time to add or remove hours or money to which they are not otherwise entitled.

A written notice of the proposed dismissal, shall be provided to the employee. The written notice shall be specific as to times, places and other pertinent facts concerning the charges and shall be provided to the employee as soon as possible by the department head. The notice shall also provide for the employee to be allowed to choose to have a pre-determination hearing regarding the charges prior to a final decision being rendered by the City Manager. The purpose of the pre-determination hearing is to allow the employee to present information to the City Manager regarding the disciplinary action under consideration.

An employee requesting a pre-determination shall request the hearing in writing to the Human Resources Department within three (3) City business days of the employee receiving the notice of proposed dismissal. The employee shall be granted such a hearing, to be held within five (5) City business days of the Human Resources Department's receipt of the employee's request.

The pre-determination hearing will include the employee, the employee's department head, the Human Resources Director and the City Manager. In the unavoidable absence of the employee's department head, the Human Resources Director or the City Manager within the permitted time-frame, the absent party may appoint another to represent them. The pre-determination hearing provides an informal opportunity for the employee to challenge the proposed dismissal before the final decision is made as to whether to dismiss.

At the pre-determination hearing the employee will be allowed to present written statements of witnesses or any other information to the City Manager regarding the charges under consideration. Attendance and participation by persons other than the City Manager and the employee is at the discretion of the City Manager. The City Manager shall render the final decision as to whether to dismiss within five (5) City business days of the conclusion of the pre-determination hearing.

If the final decision following the pre-determination hearing is not to dismiss, then the employee, if already on leave pending the outcome of the pre-determination hearing, shall be returned to regular duty with full pay for the length of that leave.

If an employee fails to appear at a scheduled pre-determination hearing or fails to request a pre-determination hearing within three (3) City business days of receiving the notice of proposed dismissal, then the proposed dismissal will become final.

All records associated with either an unchallenged or a challenged but affirmed dismissal shall become a permanent part of the Human Resources Department's personnel file for that employee.

918 - TERMINATION

It is the City of Columbia's policy to ensure that employee terminations are handled in a professional manner with minimal disruption to ongoing work functions.

There are two types of terminations:

- Voluntary
- Involuntary

Voluntary Termination

Voluntary termination of employment occurs when an employee informs his/her supervisor of the employee's resignation, or termination is deemed to have occurred when an employee is absent from work for three consecutive workdays and fails to contact his/her supervisor (job abandonment).

Employees are expected to provide a minimum of two weeks' notice of their intention to separate from the City in order to allow a reasonable amount of time to transfer ongoing workloads. It is expected that written notification will be provided to the employee's supervisor. Upon receipt of an employee's resignation, the supervisor will notify the department head and Human Resources. The department will forward the resignation letter along with an employee action form to the Human Resources Department.

The Human Resources Department will coordinate with the employee any out-processing applicable to the employee. This could include the following:

- Returning all City property (i.e. keys, ID cards, credit cards and receipts, uniforms, computers, phones, etc.);
- Review of benefits status;
- Completion of an exit interview questionnaire. The exit interview provides employees the opportunity to freely express views about working at the City and will be held in strict confidence. The Human Resources Department will compile data from exit interviews to determine if feedback to an employee's supervisor or Department Head is necessary.

Involuntary Termination

An involuntary termination of employment including layoffs, is a management initiated dismissal. The inability of an employee to perform the essential function of the job with or without a reasonable accommodation may also result in an involuntary termination.

Discharge may be for cause - a legal reason, i.e. misconduct, tardiness, absenteeism, unsatisfactory performance, inability to perform, etc. In some cases progressive discipline may be used, prior to termination, to correct a performance problem. However,

certain types of employee misconduct are so severe that one incident of misconduct will result in immediate dismissal without prior use of progressive discipline.

Prior to an involuntary termination, consideration will be given to an employee's service and past contributions to the City. The possibility of transfer or demotion will be explored in all cases except those which involve gross misconduct. If the termination is for cause, the employee may request a pre-determination hearing as outlined in Policy 917; see the section on "Discipline".

919 - APPEALS AND GRIEVANCE

Appeals

Pursuant to section 7.09 of the charter, any employee, within ten (10) days after any disciplinary action, may appeal to the civil service board such action taken against him or her. Such appeal shall be made in writing and delivered to the Human Resources director serving in his or her capacity as clerk to the civil service board. Upon receipt of an appeal of disciplinary action, the civil service board shall, in accordance with section 7.09 of the charter, set a date and time for a hearing and shall carefully consider all evidence presented. The employee shall have the right to be represented at the hearing by an attorney, shall have the right to confront and examine all witnesses, and may introduce on his or her own behalf any evidence relevant to the charges specified against him or her. The civil service board shall then make a decision as to sustain, modify or overrule the disciplinary action. The decision of the civil service board shall be final and binding in all cases except that the civil service board's final decision may be appealed to a court of law of competent jurisdiction, pursuant to section 7.09 of the charter.

Grievance

It is the policy of the City to allow employees to submit grievances when circumstances of misunderstanding or disagreement arise involving employees in order to assure employees that their problems and complaints shall be considered fairly, rapidly, and without reprisal. The City's goal and intent is to determine what is fair and just more than who is right. The City encourages free and open discussion between employees and supervisors for effective communications and understanding pertaining to work-related matters.

A grievance is defined as an employee's complaint, or an employee's feeling of dissatisfaction or difference of opinion, disagreement, or dispute arising between employees or between an employee and his or her supervisor, department head and/or the City, regarding some aspect of his or her employment, application or interpretation of these personnel policies and procedures, or some management decision affecting the employee. A grievance can be something real or alleged, and may arise from an employee's complaint about, disagreement with, or misunderstanding concerning any of the following:

- some aspect of employment and/or employment conditions working relationship between the employee and the employee's supervisor and/or the employee's department head and/or the City;
- a working relationship between the employee and other employees;
- the results of performance evaluations of the employee;

- harassment of the employee in his or her capacity as an employee (except that in the case of sexual harassment, the process provided in the City's sexual harassment policy must first be utilized);
- the fairness, application or interpretation of these personnel policies and procedures, except those specifically listed below;
- management or administrative decisions or directives affecting the employee's health, safety, workplace, equipment or material used; and
- other related items, except those specifically listed below.

A grievance may not arise from any of the following:

- disciplinary actions involving the employee
- personnel actions pertaining to position classifications, or changes thereto;
- the pay plan and/or other forms of compensation including employee benefits, or changes thereto including reclassifications; and
- the abolishment of positions and any resulting demotions, transfers or lay-offs.

It is the City's desire to address grievances informally, and both supervisors and employees are expected to make every effort to resolve problems as they arise. However, it is recognized that there will be occasional grievances that will be resolved only by more formal means. Employees who have a grievance may discuss the grievance informally with their immediate supervisor, a higher-level supervisor, and/or the department head. Every employee may present a grievance free from fear, interference, restraint, discrimination, coercion, or reprisal.

An employee with a grievance has a right to:

- a grievance hearing as specified in this policy;
- grievance proceedings are considered informal hearings and legal counsel is not permitted to participate in the grievance process;
- present written notarized statements supporting employee's position;
- examine and copy all documents that will be used by the City as justification for its actions; and
- be free from threats, coercion, intimidation, or discrimination from other employees because he or she has made complaints, testified, or assisted in any manner in the above-stated grievance procedures.

The grievance may be resolved at any step in the procedure by mutual concurrence. Notation of any settlement shall be signed by all parties and forwarded to the Human Resources Director.

Throughout the grievance procedure, whenever a specific number of City business days are allowed to submit a grievance or to respond to a grievance finding, then the "City business days" in question shall be those normal to the person responsible for the next

action. For these purposes, "City business days" do not include days on which that person is either on authorized leave or out of town on City business.

The following steps are to be followed to resolve an employee grievance:

- The employee should discuss the matter with his or her immediate supervisor as soon as the grievance develops or as soon as possible thereafter. The supervisor shall make every effort to resolve the matter informally.
- If the matter is not resolved, the employee shall, as soon as possible after the employee's effort to resolve the matter with the supervisor, submit in writing to the same supervisor a complete statement as to the nature of the grievance, and one or more suggested solutions.
- The supervisor shall then promptly investigate the circumstances surrounding the grievance, discuss the matter with the appropriate department head, and take any necessary action, if possible. The supervisor shall, within ten (10) City business days of receiving the written grievance, prepare a written report of the findings, conclusions, decisions and actions taken or to be taken, if any, resulting from his or her investigation of the grievance, and provide the employee and the department head each with a copy of the report.
- If the supervisor's action and/or written response is not satisfactory to the employee, the employee may continue the process through the chain of command within the employee's department.
- If the grievance process reaches the department head the department head shall, within ten (10) City business days of receiving the grievance from the employee, provide the employee with an opportunity to meet informally with the department head to discuss the grievance. The department head then, within ten (10) City business days of that informal meeting or of receiving the employee's written declination of an opportunity to meet informally, shall provide the employee with a written response to the grievance.
- If the department head's written response is not satisfactory to the employee, then the employee may submit the written grievance requesting a grievance hearing to the city manager within ten (10) City business days of receiving the department head's written response.
- The City Manager shall obtain all information in its entirety from the department head, including the supervisor's written report, the department head's written response and any other pertinent information gathered throughout the grievance process. The City Manager shall, within ten (10) City business days of receiving the written request for a grievance hearing, set the date, time and location for a grievance hearing, and shall notify the employee, the supervisor, the department head and the Human Resources Director of this information. It is the responsibility

of the employee to appear at the scheduled grievance hearing. If the employee fails to appear and has no justifiable reason for failing to appear, then the matter shall be dismissed.

- In his or her capacity as grievance hearing officer, the City Manager shall have the authority to interview witnesses under oath, to compel the attendance of employees, to require the production of information by employees and to request attendance and production of information by non-employees.
- The City Manager shall have ten (10) City business days from the conclusion of the hearing to render a decision. The decision shall be in writing and shall include the reasons for the decision. The City Manager's decision shall be final and binding in all cases except that it may be appealed to a court of competent jurisdiction. The City Manager's determination is not intended to substitute his or her judgment for that of the employee's supervisor and/or department head but, rather, is to declare whether the grievance procedures followed to date have been appropriate and whether the management decisions made to date are reasonable under the circumstances. The Human Resources Director shall place a copy of the grievance and all written responses thereto, including the City Manager's determination, into the human resources department's personnel file for that employee.
- All written correspondence throughout the grievance proceedings shall be copied to the Human Resources Department.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Liz Bermudez, Executive Secretary, liz@columbiatn.com 931.560.1510

AGENDA ITEM TITLE:

2ND CONSIDERATION OF ORDINANCE NO. 4511 - AN ORDINANCE AMENDING TITLE 18, CHAPTER 3, SECTION 18-303, OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA BY REPLACING IN ITS ENTIRETY PRESENT SCHEDULES A AND B AND ADOPTING AND APPROVING THE FOLLOWING SCHEDULES A AND B

RECOMMENDATION:

INFORMATION: Columbia Power and Water Systems (CPWS) has requested City Council to increase the water rate for large volume water customers. This recommendation is to encourage water conservation from large water customers. CPWS President and Chief Executive Officer Jonathan Hardin will be present to explain the request for the increase.

ATTACHMENTS: Staff Report, Ordinance No. 4511, Supporting Documentation.

**AN ORDINANCE AMENDING TITLE 18, CHAPTER 3, SECTION 18-303, OF THE
MUNICIPAL CODE OF THE CITY OF COLUMBIA BY REPLACING IN ITS
ENTIRETY PRESENT SCHEDULES A AND B AND ADOPTING AND
APPROVING THE FOLLOWING SCHEDULES A AND B**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA,
TENNESSEE:

SECTION 1: That Title 18, Chapter 3, Section 18-303 of the Municipal Code of the City of Columbia be, and it is hereby amended by repealing in its entirety Schedules A and B and adopting and approving the following Schedules A and B:

SCHEDULE A – URBAN AREA

Rate Schedule

September 1, 2024

Customer Charge:

Residential	\$11.75
Commercial	\$16.25
Industrial	\$76.15

Multi-Unit Charge:

Residential per unit	\$4.40
Commercial per unit	\$6.05

Residential Commodity Charge:

0 – 8,000 Gallons	\$3.30 per 1,000
8,000 – 20,000 Gallons	\$3.80 per 1,000
All over 20,000 Gallons	\$4.05 per 1,000

Commercial and Industrial Commodity Charge:

0 – 8,000 Gallons	\$3.30 per 1,000
8,000 – 20,000 Gallons	\$3.80 per 1,000
All over 20,000 Gallons	\$4.05 per 1,000

Multi-Unit Charge: A Multi-Unit Charge applies for each unit of a multiple unit dwelling or commercial complex purchasing water through a master water meter.

Amortization Charge: An additional charge of five cents (\$.05) per 1,000 gallons of water used is applicable to the above rate to defray the City of Columbia's share of the water supply benefits provided by Tennessee Duck River Development Agency.

Late Charge: A late payment charge of ten percent (10%) shall be added to each customer's bill for the amount of the bill unpaid after the bill due date specified on the bill.

SCHEDULE B – SUBURBAN AREA

Rate Schedule September 1, 2024

Customer Charge:

Residential	\$17.25
Commercial	\$22.00
Industrial	\$76.15

Multi-Unit Charge:

Residential per unit	\$4.50
Commercial per unit	\$6.25

Residential Commodity Charge:

0 – 8,000 Gallons	\$4.30 per 1,000
8,000 – 20,000 Gallons	\$4.80 per 1,000
All over 20,000 Gallons	\$5.05 per 1,000

Commercial and Industrial Commodity Charge:

0 – 8,000 Gallons	\$4.30 per 1,000
8,000 – 20,000 Gallons	\$4.80 per 1,000
All over 20,000 Gallons	\$5.05 per 1,000

Multi-Unit Charge: A Multi-Unit Charge applies for each unit of a multiple unit dwelling or commercial complex purchasing water through a master water meter.

Amortization Charge: An additional charge of five cents (\$.05) per 1,000 gallons of water used is applicable to the above rate to defray the City of Columbia's share of the water supply benefits provided by Tennessee Duck River Development Agency.

Late Charge: A late payment charge of ten percent (10%) shall be added to each customer's bill for the amount of the bill unpaid after the bill due date specified on the bill.

SECTION 2: BE IT FURTHER ORDAINED that said new rates are to become effective for all bills mailed on or after September 1, 2024.

SECTION 3: BE IT FURTHER ORDAINED that all resolutions, ordinances, or parts thereof in conflict with the provisions of this amendment to the extent of such conflict are hereby repealed and this amendment shall take effect September 1, 2024, the public welfare requiring it.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
COLUMBIA, TENNESSEE, THIS THE _____ DAY OF _____, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY -CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration _____



Memorandum

To: Board of Public Utilities
From: Jonathan Hardin 
Date: May 29, 2024
Re: Proposed Water Rate Action – Inclining Block Rates

The CPWS Board must provide a recommending resolution to the City Council of Columbia, Tennessee for adopting changes to the water rate schedule to encourage water conservation. CPWS management, in close collaboration with Jackson Thornton and legal counsel, provides for consideration the attached resolution.

The resolution recommends restructuring water rates with three different usage blocks proposed and inclining rates for each block. The blocks are 0-8,000 gallons per month, 8,001 – 20,000 gallons per month and then usage exceeding 20,000 gallons per month.

Some supporting documentation is provided for education on the benefits of inclining block rates for water conservation efforts.

CPWS management recommends the attached resolution for changes to the water rate schedule be approved and submitted to the City Council of Columbia (TN) for their consideration and vote.

**AMENDED RESOLUTION REQUESTING THAT THE CITY COUNCIL OF THE
CITY OF COLUMBIA, TENNESSEE CONSIDER FOR ADOPTION
AN ORDINANCE AMENDING TITLE 18, CHAPTER 3, SECTION 18-303,
OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA BY REPLACING
IN ITS ENTIRETY PRESENT SCHEDULES A AND B AND APPROVING NEW
SCHEDULES A AND B**

WHEREAS, by Resolution dated May 29, 2024, the Board of Public Utilities (the “Board”) of the City of Columbia, Tennessee (the “Municipality”), found that it was necessary and in the public interest to seek a new water rate schedule; and

WHEREAS, the Board after additional consideration of the cost of service studies that have been performed for the Board, it requests that the Municipality adopt and approve the attached amended Ordinance which replaces in its entirety present Schedules A and B of Title 18, Chapter 3, Section 18-303 of the Municipal Code with new Schedules A and B for 2024; and

WHEREAS, a copy of the amended proposed Ordinance is attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Public Utilities of the City of Columbia, Tennessee, that this Board hereby recommends to the City Council that the City Council approve the Amended Ordinance, in substantially the form as attached hereto, to amend Title 18, Chapter 3, Section 18-303 of the Municipal Code of the City of Columbia by replacing in its entirety present Schedules A and B and adopting and approving new Schedules A and B for 2024.

BE IT FURTHER RESOLVED, that a duly certified copy of this Resolution be immediately transferred to the City Council of the Municipality.

APPROVED AND ADOPTED, this the 29th day of May, 2024.

ATTEST:

CHAIRMAN

SECRETARY

Conservation Pricing for Residential Water Supply¹

Tatiana Borisova, Serhat Asci, Burcin Unel, and Colin Rawls²

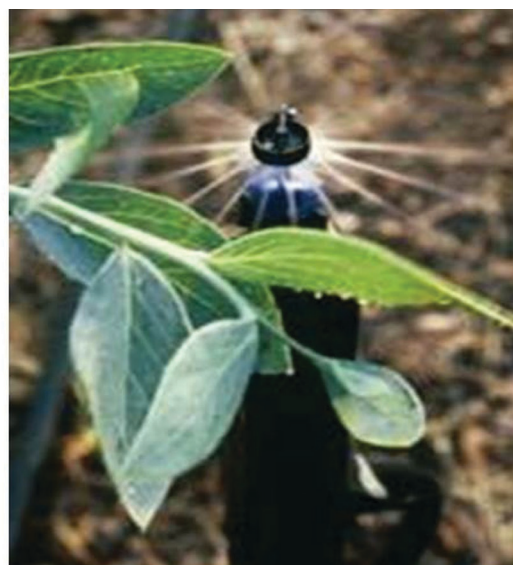
Introduction

According to the preliminary estimates compiled by the United States Geological Survey (USGS) for 2010, withdrawals of freshwater for public water supply in Florida averaged about 2.2 billion gallons per day, or about 35 percent of total freshwater withdrawals in the state (Borisova and Rogers 2014; USGS 2010). It is expected that public water supplies will become the largest water user by the year 2025, with an additional 2.0 billion gallons of freshwater withdrawals per day (FDEP 2010).

Extensive water use for public water supply, irrigated agriculture, and periodic droughts has led to a significant decline in Floridan aquifer levels in some areas of Florida, and lowered lake levels and spring discharges throughout the state. Water conservation is seen as “the most important action we can take to sustain our water supplies, meet future needs, and reduce demands on Florida’s fragile water-dependent ecosystems such as lakes, streams, and the Everglades” (FDEP 2008).

Currently, water management districts require public water suppliers to implement such water conservation measures as adoption of local irrigation ordinances, leak detection, public education, and conservation-based water rates. This paper focuses on the conservation-based rates (also referred to as inclining block rates, inverted block rates, conservation rates, conservation-oriented rates, or demand management pricing). Below, we define the criteria used

to design and evaluate conservation-based rates, consider alternative rate structures, and briefly discuss challenges posed by conservation-oriented rates for utility companies. As an illustrative example, we discuss rates used by Gainesville Regional Utilities (GRU) in 2013–2014 (GRU 2013).



Credit: UF/IFAS

Conservation-Oriented Water Rates

Conservation-oriented water rates are aimed at stimulating water use efficiency and water conservation through economic incentives, specifically through water price signals. American Water Works Association suggested

1. This document is FE756, one of a series of the Food and Resource Economics Department, UF/IFAS Extension. Original publication date October 2008. Revised May 2009 and April 2014. Reviewed March 2018. Visit the EDIS website at <https://edis.ifas.ufl.edu>.

2. Tatiana Borisova, assistant professor, Food and Resource Economics Department; Serhat Asci, post-doctorate, Food and Resource Economics; Burcin Unel, former research associate, Public Utility Research Center; and Colin Rawls, former graduate student, Food and Resource Economics Department; UF/IFAS Extension, Gainesville, FL 32611.

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U.S. Department of Agriculture, UF/IFAS Extension Service, University of Florida, IFAS, Florida A & M University Cooperative Extension Program, and Boards of County Commissioners Cooperating. Nick T. Place, dean for UF/IFAS Extension.

four criteria to design and evaluate a conservation water rate structure. Three of the criteria are discussed here: (1) the structural form of the rate; (2) the proportion of utility costs that is recovered through fixed versus commodity charges; and (3) effective communication of the price signal through consumer billing. The fourth suggested criterion is relevant only for public-sector utilities and is not discussed in this publication: the extent to which the cost of the utility service is covered through user fees as opposed to other sources, such as taxes or general funds transfer (Beecher et al. 1994).

Structural Form of Water Rates

Conservation pricing is based on the idea that customer water use decreases as the price paid for water increases, which is the typical price-quantity relationship for almost any good or service. A variety of structural forms associated with conservation-oriented rates are summarized in Table 1. Inverted block rate (aka, inclining block rate) is the structural form that is most frequently associated with a conservation-oriented water rate. Given an inverted block rate structure, customer water usage is divided into several blocks so that the price paid for the *additional* unit of water increases as residential water usage increases from one block to the next.

To illustrate an inverted block rate structure, we use an example of the three-block structure employed by GRU in 2013–2014 (Table 2; Figures 1 and 2). The price that GRU customers pay for 1,000 gallons of water is \$2.30, as long as a household uses less than 6,000 gallons per billing period (in addition to \$9.00 per billing period service charge). However, the household will need to pay \$3.75 for each *additional* thousand gallons in excess of 6,000 gallons per billing period. Each *additional* thousand gallons will cost even more (\$6.00) if the household exceeds the 20,000 gallons per billing period. Similarly, for residents who have a separate meter for their irrigation water use, GRU uses inverted block structure with two blocks (Table 2).

The inverted block water rate structure is often contrasted with flat, declining block, and uniform water rate structures. A flat rate structure implies that consumers’ monthly payments are fixed and independent of the volumes of water used. This structure is often employed when consumers’ water usage is not metered. Flat rate structure does not provide economic incentives for water conservation since customers’ costs of additional gallons of water are zero. Under a declining block rate structure, a consumer pays less per additional unit of water as usage increases. Finally, given a uniform rate structure, customers pay the

same price for every additional unit of water that they use. Although customers’ total monthly payments increase with the amount of water they use, uniform and declining water rate structures provide weaker incentives for water conservation in comparison with inverted block water rates, for which not only the total payment, but also the unit payment increases with the volume of water used.

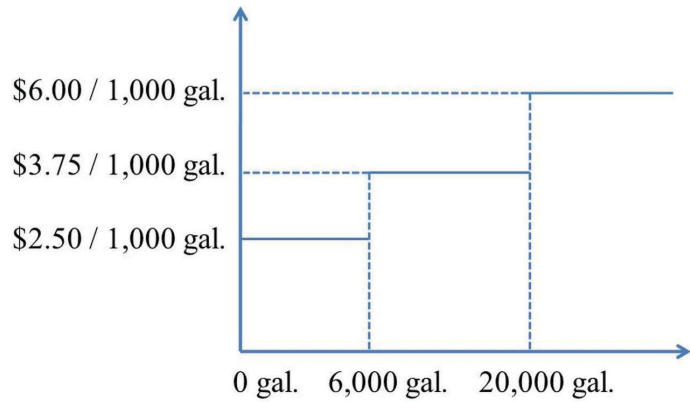


Figure 1. Inverted block rate structure used by GRU for residential customers (GRU 2013).

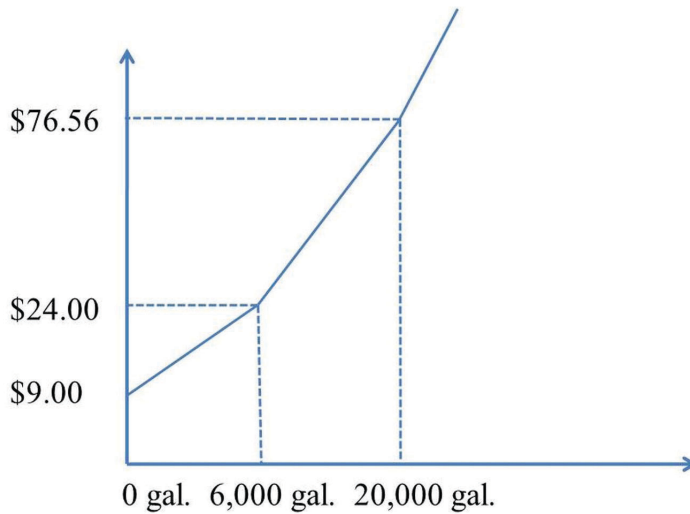


Figure 2. Total payment for water use by a residential customer to GRU using only volumetric and monthly flat charges (GRU 2013).

In 2012, of the 170 Florida utility companies surveyed by Raftelis (2012), 18 used uniform rate structures (11%) and 152 used inverted block rate structures with two to six rate blocks (89%). The number of utility companies using inverted block rate structure increases over time (Whitcomb 2005).

Design of a Conservation-Oriented Rate Structure

Water utilities employing an inverted block rate structures have the flexibility to decide on the number of blocks, block water rates, and threshold usage for each block. The

decision is typically based on customers' characteristics and is made iteratively until the appropriate demand response and revenue collection goals are achieved (Raftelis 2005). For example, the first block can cover non-discretionary water usage, such as average indoor water uses for drinking, cooking, sanitation, and cleaning. The first block rates are kept relatively low to ensure water affordability for the low-income group. Alternatively, the blocks can be linked to average daily, maximum daily, and maximum hourly costs of serving residential customers (Raftelis 2005). Also, computer models are available to help utilities simulate the effects of different rate designs on their revenue streams.



Credit: UF/IFAS

To capture differences in discretionary and non-discretionary use amounts, as well as in the costs of servicing, multiple inverted block rate structures can be developed for different classes of customers, such as residential, commercial, industrial, and institutional classes. However, to avoid over-complication of a utility's pricing system, an inverted rate structure is usually introduced for residential customers only, since this class can find it relatively easy to improve water use efficiency (Raftelis 2005).

The design of a conservation-oriented rate structure for residential customers should take into account the responsiveness of water usage to water rates, which economists call price elasticity of demand (or price elasticity). Water price elasticity is usually negative, indicating that the price and the quantity demanded move in opposite directions such that an increase in price results in a decrease in quantity demanded. Price elasticity values between -1 and 0 characterize an inelastic demand, for which a change in price results in a smaller percentage change in the quantity demanded. For an inelastic demand, an increase in price results in an increase in the overall revenue. In contrast, a

price elasticity value less than -1 characterizes an elastic demand, for which an increase in the price results in a larger decrease in quantity demanded, thereby reducing total revenues.

According to Beecher et al. (1994), as well as the variety of studies conducted in recent years, the most likely price elasticity range for residential demand is -0.2 to -0.4 , which implies that an increase in water rates will lead to a relatively small reduction in water use, and hence, an increase in utility revenues. However, the price elasticity varies among regions, customer classes, water use categories, seasons, and time periods. It is recommended for utilities to estimate price elasticity using the data specific for their own customers. Generally, water demand for outdoor discretionary uses (such as lawn watering, car washing, and swimming pools) is more elastic than the demand for non-discretionary indoor water uses. Water demand of low-income customer groups is usually less elastic than the demand of high-income customer groups because low-income customers usually use less water for non-discretionary uses (Beecher et al. 1994). In Florida, there is less outdoor discretionary water use during late fall and winter when non-discretionary water uses decrease and the demand for water may be less responsive to price changes during that season. Other determinants of price elasticity (Beecher et al. 1994) include the following:

1. *Rate levels:* For lower rates, an increase in the rates from block to block would have a small effect on quantity demanded. The rates are low if the total water bill amounts to a very small share in the total household income. Note that in periods of high inflation, it is important to focus on real water rates (i.e., rates adjusted for inflation).
2. *Environmental awareness and attitudes:* More environmentally-oriented customers may be more responsive to water conservation signals sent through water rates, which make educational programs an especially important component in utilities' water efficiency and conservation programs.
3. *Other conservation programs:* For example, a combination of conservation pricing and water quantity restrictions (i.e., reduction in the number of weekdays residents are allowed to irrigate) can lead to more significant reductions in water use than conservation pricing alone (Kenney et al. 2008).
4. *Time period:* Water demand is usually more price-elastic in the long run (about five years or longer) than in the short run. In the long run, customers have the

opportunity to adapt to higher prices by making their appliances and outdoor irrigation methods more water efficient.

5. *Availability of alternative water sources:* The demand for water will be more elastic if customers have access to alternative water sources such as private irrigation wells or reclaimed water. Since customers have an opportunity to switch to an alternative water source, demand for water from utilities will be more responsive to the rate changes.

Proportion of the Utility Costs Recovered through Fixed Versus Commodity Charges

Inverted block, flat, uniform, declining block, and other rate structures are all linked to the amount of water used by customers, and are referred to as commodity charges (alternatively, such rates can be referred to as volumetric or usage charges). In addition to commodity charges, utility companies also impose fixed charges that are the same for all customers within a certain customer class, and that are not directly linked to the amount of water used by the customers. For residential customers, the fixed monthly charges usually cover utilities' costs of metering, billing, customer service, and some capital-related cost; however, some utilities include payment for some minimum level of usage into the fixed charge, and in this way recover a part of their water withdrawal and delivery costs. For example, GRU charges residential customers a fixed monthly charge of \$9.00, based on the cost of service to provide metering, meter reading, billing, and customer service (GRU 2013).

American Water Works Association suggests that along with the commodity rate structure, utilities should design and evaluate their conservation-oriented water rates based on the proportion of the utility costs recovered through fixed charges versus commodity charges (Beecher et al. 1994). A higher proportion of costs recovered through fixed charges translates into higher fixed charges as a proportion of total customers' monthly bills, and diminishes the effect of the inverted block volumetric rates on customers' water uses.

Wastewater charges applied by many utilities, based on non-discretionary water usage, can also distort the conservation price signal sent by the inverted volumetric water rates to the customers. For example, in 2013–2014, GRU charges residential customers a wastewater charge of \$5.85 per thousand gallons, in addition to the flat rate of \$7.85 per billing period. Since wastewater is not metered,

GRU estimates monthly wastewater volume based on the amount of water a household uses for non-discretionary uses, specifically, based on the winter maximum water usage (estimated as the average daily consumption used in January and February times 30.4; January and February are selected since the customers generally do not irrigate their lawns during these months). Wastewater bill is based on monthly water usage or the winter maximum water use, whichever is lower (GRU 2013). Such wastewater charges effectively increase water rates for non-discretionary water usage.



Credit: Tyler Jones, UF/IFAS

Communication of the Price Signal through Consumer Billing

The third criterion suggested by the American Water Works Association to design and evaluate conservation pricing is the effective communication of the price signal through consumer billing (Beecher et al. 1994). To influence water demand, the conservation pricing must be understood by customers. Households should be able to estimate changes in their water bills as a result of increases in water usage. Many Florida utility companies describe their water rates on their websites and/or through newsletters to their customers. However, this information is often limited. For example, the survey of customers of sixteen Florida utilities, conducted by Whitcomb (2005), showed that 39 percent of respondents are not knowledgeable about water rate structures (i.e., number, size, and prices of the blocks). At the time of the survey, only five of the sixteen participating utilities printed their water rates on their bills, which partially explain this lack of customer knowledge (Whitcomb 2005).

Conclusions

In conclusion, the pricing objectives of a water utility are not exclusively based on the efficient use of water and water conservation. Other pricing objectives can include financial viability of the utility over time, revenue stability,

competitiveness and economic development, equity and fairness toward customers, legality and litigation potential, and difficulty of implementation and management of a pricing structure (Green and Yingling 2007; Raftelis 2005). Because these pricing objectives can conflict with one another, conservation pricing can only help achieve some of the objectives. Conservation pricing promotes efficient use of water resources, allows utilities to postpone costly development of new water sources, and reduces incremental facility capacity and peak demand (specifically, seasonal or time-of-use rates). Seasonal and time-of-use rates may increase the use of existing facilities during non-peak periods and improve the efficiency of available capacity use (Raftelis 2005). On the other hand, conservation pricing can lead to revenue instability due to the shift of cost recovery from fixed charges to less predictable volumetric charges. To ensure a stable stream of revenues to cover costs and meet revenue requirements, utilities can save any revenue surplus during periods of high revenues to cover costs during periods of low revenues (Beecher et al. 1994). For example, GRU maintains a rate stabilization fund to smooth revenue variations associated with variations in demand and billing (Richardson 2008). Also, high unit rates for large-volume customers increase the risk of utilization of alternative water sources (i.e., private wells), which can decrease a utility's revenue and increase the overall water withdrawals in the area, impacting other water uses such as environmental and recreational uses. For example, customers had access to surficial irrigation wells in the service areas of twelve out of sixteen Florida utilities examined by Whitcomb (2005).

Conservation rates can be complex, require advanced metering capability and cost-tracking methodologies, and may be more costly to administer. Some economists argue in favor of water rates that accurately reflect service costs. Since the cost of delivering an additional unit of water from an existing water source often decreases with the volume of water purchased, economically efficient water rates would imply a rate reduction with the purchase volume (not increase, as in water conservation rates) (Raftelis 2005).

The tradeoffs associated with conservation pricing demonstrate the need for a careful examination of all the possible effects of conservation pricing structure on utilities' revenue streams and customers' water uses. Such examination requires reliable data on customers' responses to different price signals. The analysis of possible price structures should involve representatives from all the key areas of utility companies. Many utilities involve customers in the rate-setting process to elicit additional information

and increase support for the final rate structure adopted (Raftelis 2005).

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Table 1. Summary of alternative conservation rate structures.

Rate	Definition
Inverted (Inclining) Block	Unit price for the last unit of water used increases as usage increases from one water usage block to the next
Seasonal	Water rates are higher during the season of higher demand (usually during peak outdoor usage) than during the off-peak season
Time-of-Use	Water rates are higher during peak hours or days of the week
Excess-Use	Price are higher for above-average use
Penalties	Charges customers pay for exceeding allowable limits of water use
Indoor-Outdoor	Prices for indoor use are lower than prices for outdoor use
Water Budget	Inverted block rate structure in which the blocks are defined uniquely for each customer, based on an efficient level of water use for that customer
Sliding-Scale	Unit price for all water use increases as water usage increases
Scarcity Pricing	Cost of developing new supplies is paid by existing users
Spatial Pricing	Users pay for the actual cost of supplying water to their establishment
Source: Beecher et al. (1994); Mayer et al. (2008); Raftelis (2005); Stallworth (2003).	

Table 2. Example of inverted (including) block water rate structured used by GRU for residential customers in 2013–2014.

Water Use Blocks	Rates*
First 6,000 gallons	\$2.50 per 1,000 gallons
Over 6,000 but less than 20,000 gallons	\$3.75 per 1,000 gallons
Over 20,000 gallons	\$6.00 per 1,000 gallons
Irrigation water service:	
First 14,000 gallons	\$3.75 per 1,000 gallons
Over 14,000 gallons	\$6.00 per 1,000 gallons
Source: GRU (2013).	
* Additional fees include connection fee, fixed monthly charge (\$9.00), franchise fee for the city of Alachua (6%), city or county taxes (10% each), and water surcharge (25%) for customers outside of the city of Gainesville. In addition, the following wastewater charges apply: fixed (\$7.85/month), usage (\$5.85/1,000 gallons based on monthly water usage or winter maximum water use, whichever is lower); and surcharge (25%, outside of the city of Gainesville). Different rate structures apply for non-metered well discharge (flat) and reclaimed water use.	



Certified Public Accountants
& Consultants

Columbia Power & Water Systems
Water Cost of Service Study
12 Months Ending June 2023
Presented March 13, 2024

Typical Objectives of Rate Study

1. Revenue Stability and Sufficiency
2. Fairness and Equity
 - Fair is related to cross subsidies
 - Equity is related to $\text{Price} = \text{Cost}$
3. Ability to Pay
4. Simplicity (Admin & Cust Understanding)
5. Defensible

Overview of Process

1. Determine Revenue Requirements
 - How much does the system need to operate?
2. Develop Revenue Requirements by Rate Class
 - How much does the system need to recover by rate class?
3. Develop COS Rates and Design Acceptable Rates
 - How does the system best recover the needed revenues?
4. Implement Rate Changes

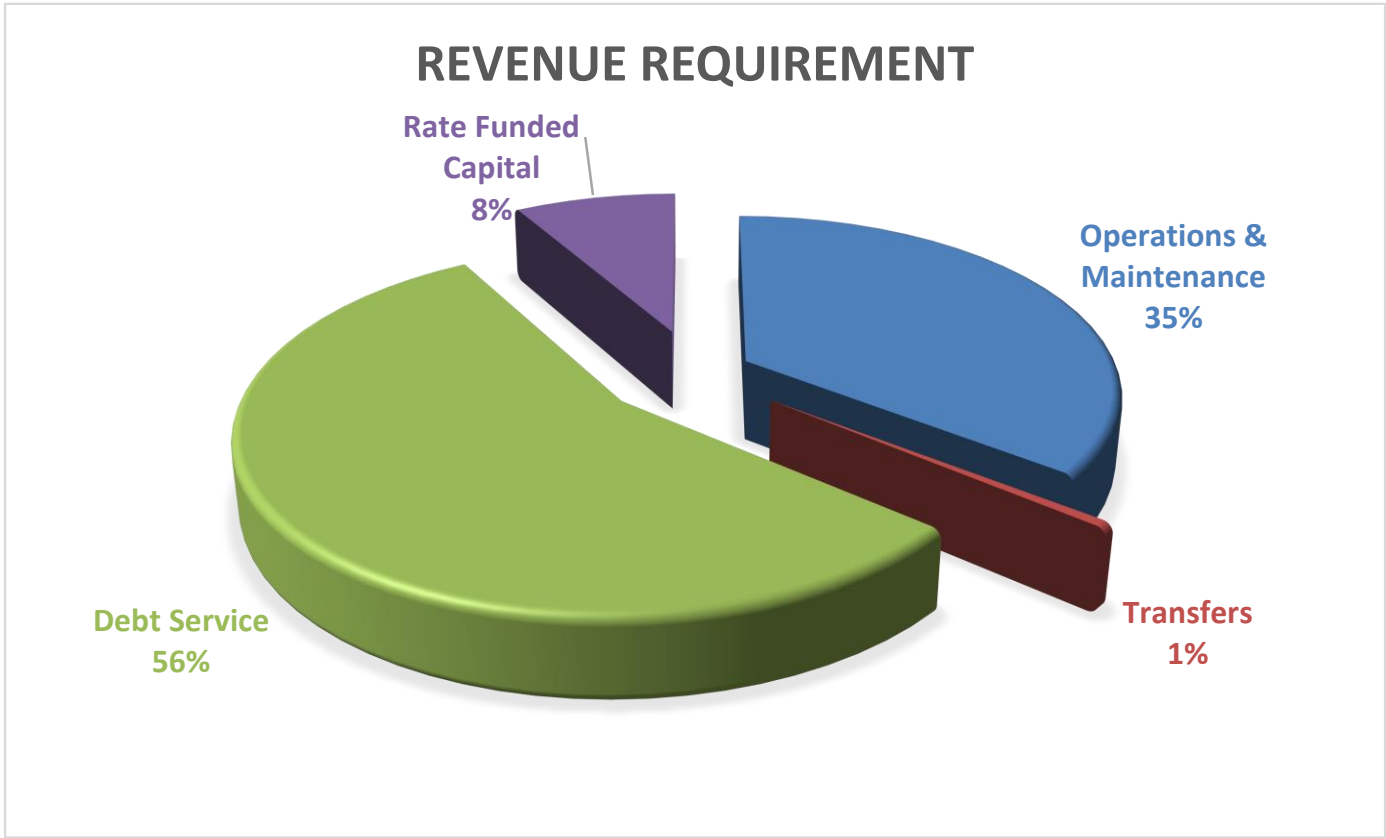
Cash Method – System Revenue Requirement

TOTAL REV. REQ.	
Operations & Maintenance	\$ 10,733,501
Plus: Transfers	\$ 162,389
Plus: Debt Service	\$ 16,817,900
Plus: Rate Funded Capital	\$ 2,500,000
Total Revenue Requirement	<u>\$ 30,213,790</u>
Less: Other Revenue	<u>\$ 547,635</u>
Rate Requirement	<u>\$ 29,666,155</u>

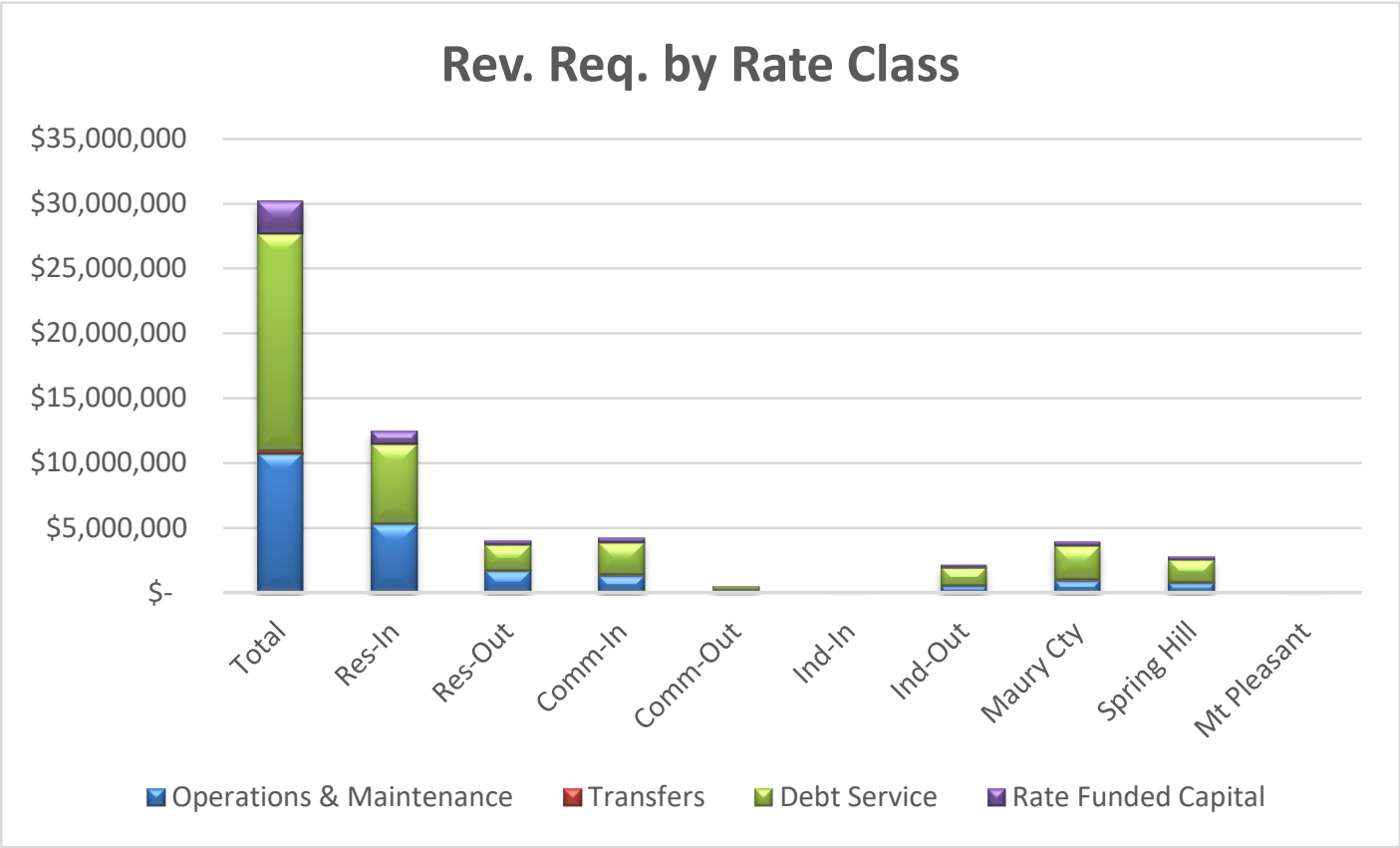
*O&M aligned with 2025 operating budget

*Debt Service includes the projected debt service in FY2029

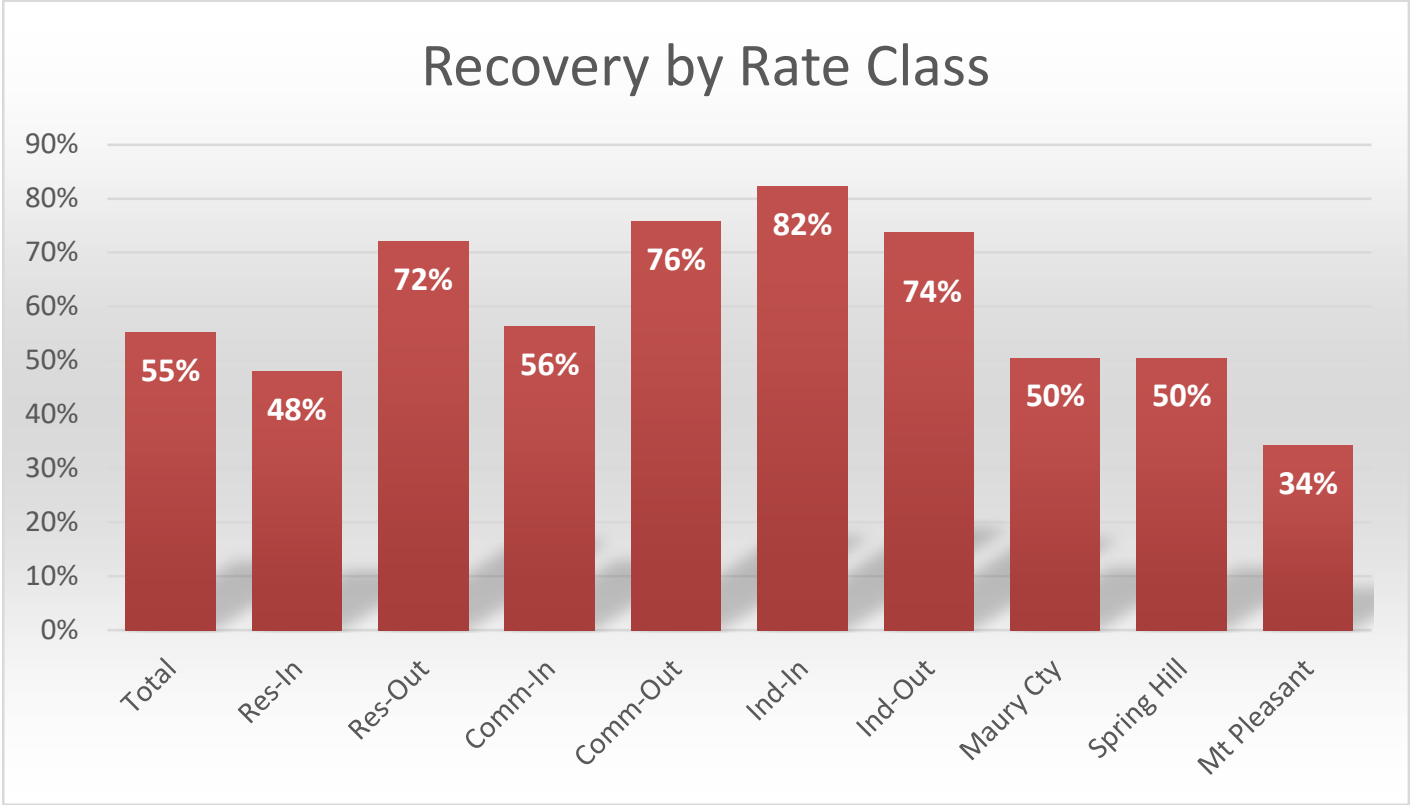
Components of Revenue Requirement



Revenue Requirement by Class



Recovery By Class



Considerations, 1 of 4

Estimated Annual Target	
Targeted Rate Requirement	\$ 29,666,155
Current Rate Revenue	<u>\$ 16,129,432</u>
Current Recovery	<u><u>\$ (13,536,723)</u></u>
Targeted Annual Increase	\$ 2,707,345
Organic Growth (5%)	\$ 806,472
Capacity Fee Adjustments	<u>\$ 250,000</u>
Annual Rate Increase Needed	<u><u>\$ 1,650,873</u></u>

Considerations, 2 of 4

- The water system is currently in outstanding financial condition.
- Well positioned to take a proactive approach relative to the upcoming capital projects and the associated debt service.
- Of the \$390,000,000 in capital projects, approximately \$162,000,000 (42%) will be spent to rehab/replace existing infrastructure.
- The estimated \$15,800,000 of additional annual debt service will be a “fixed” expense. It is appropriate to align fixed expenses with fixed revenue.

Considerations, 3 of 4

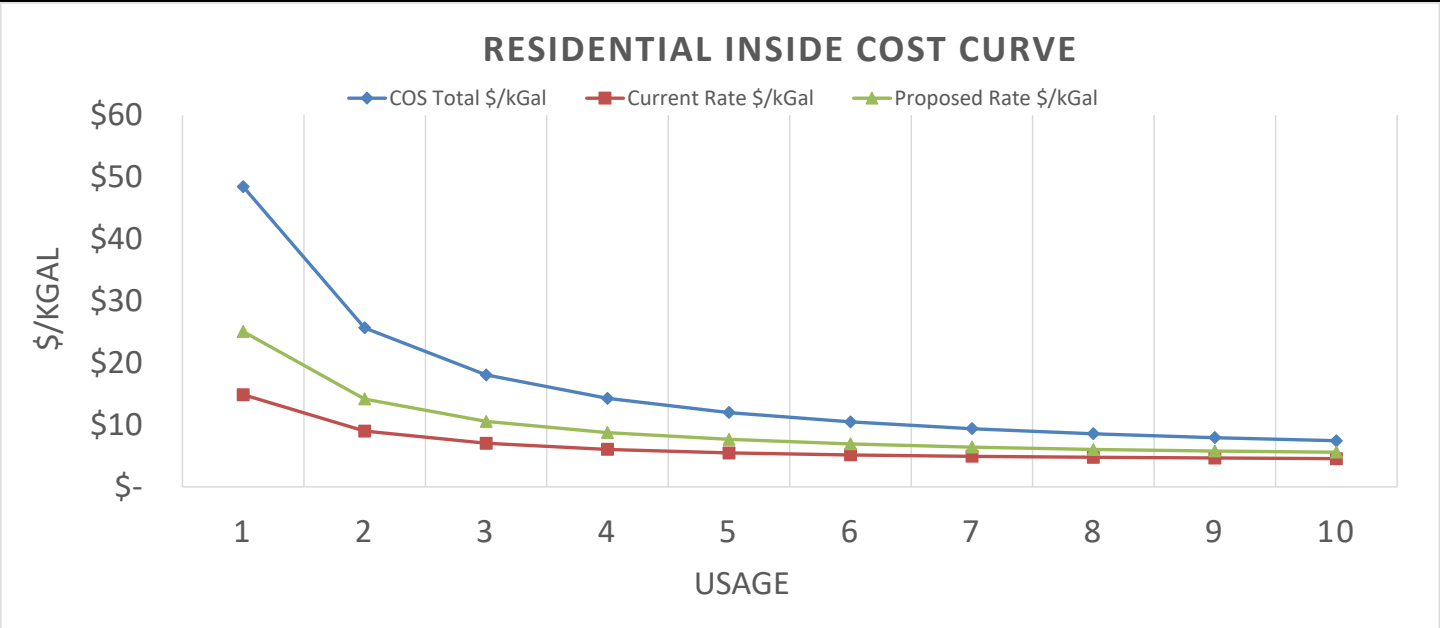
- Consider a two-year rate plan with the following adjustments to your retail customers:
 - Year 1
 - Residential - \$5.00 increase to customer charge.
 - Commercial/Industrial - \$10.00 increase to customer charge
 - Year 2
 - Residential - \$5.00 increase to customer charge.
 - Commercial/Industrial - \$10.00 increase to customer charge

Considerations, 4 of 4

- In year one, consider introducing a third tier on your residential and commercial inclining block rates.
 - Residential/Commercial Inside –
 - 1st 8,000 gallons - \$3.30
 - 8,000 – 20,000 gallons - \$3.80
 - Over 20,000 gallons - \$4.05
 - Residential/Commercial Outside –
 - 1st 8,000 gallons - \$4.30
 - 8,000 – 20,000 gallons - \$4.80
 - Over 20,000 gallons – \$5.05
- At full implementation, based on FY23 billing statistics, this should create approximately \$3,860,000 in additional annual revenue

Residential Rate Curve, Full Implementation

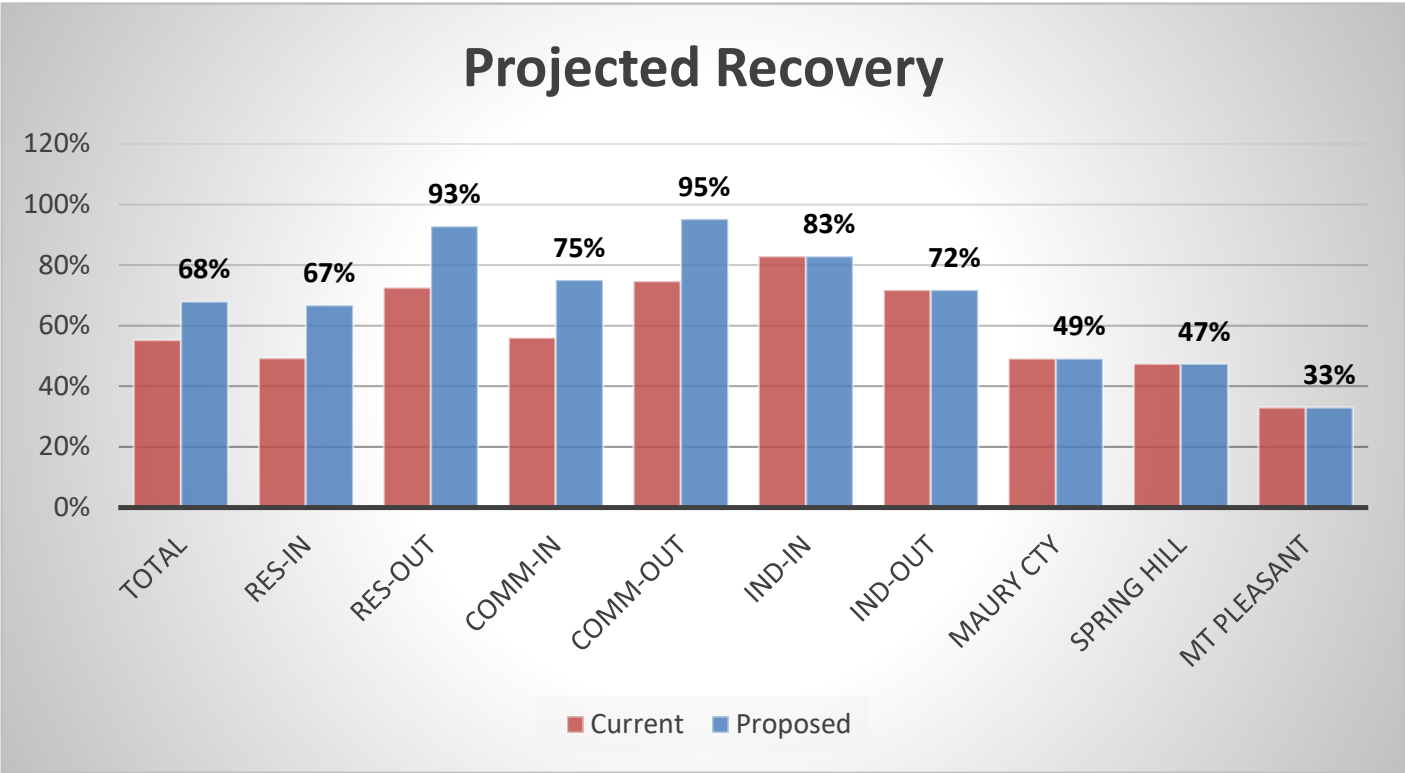
	Cost of Service	Current Rate	Proposed Rate	Difference	
Customer Charge	\$ 45.56	\$ 11.75	\$ 21.75	\$ 10.00	
0 - 5,000 Gallons	\$ 2.87	\$ 3.10	\$ 3.30	\$ 0.20	0 - 8,000 Gallons
Over 5,000 Gallons		\$ 3.60	\$ 3.80	\$ 0.20	8,000 - 20,000 Gallons
		\$ 3.60	\$ 4.05	\$ 0.45	Over 20,000 Gallons



Residential Rate Curve, Full Implementation

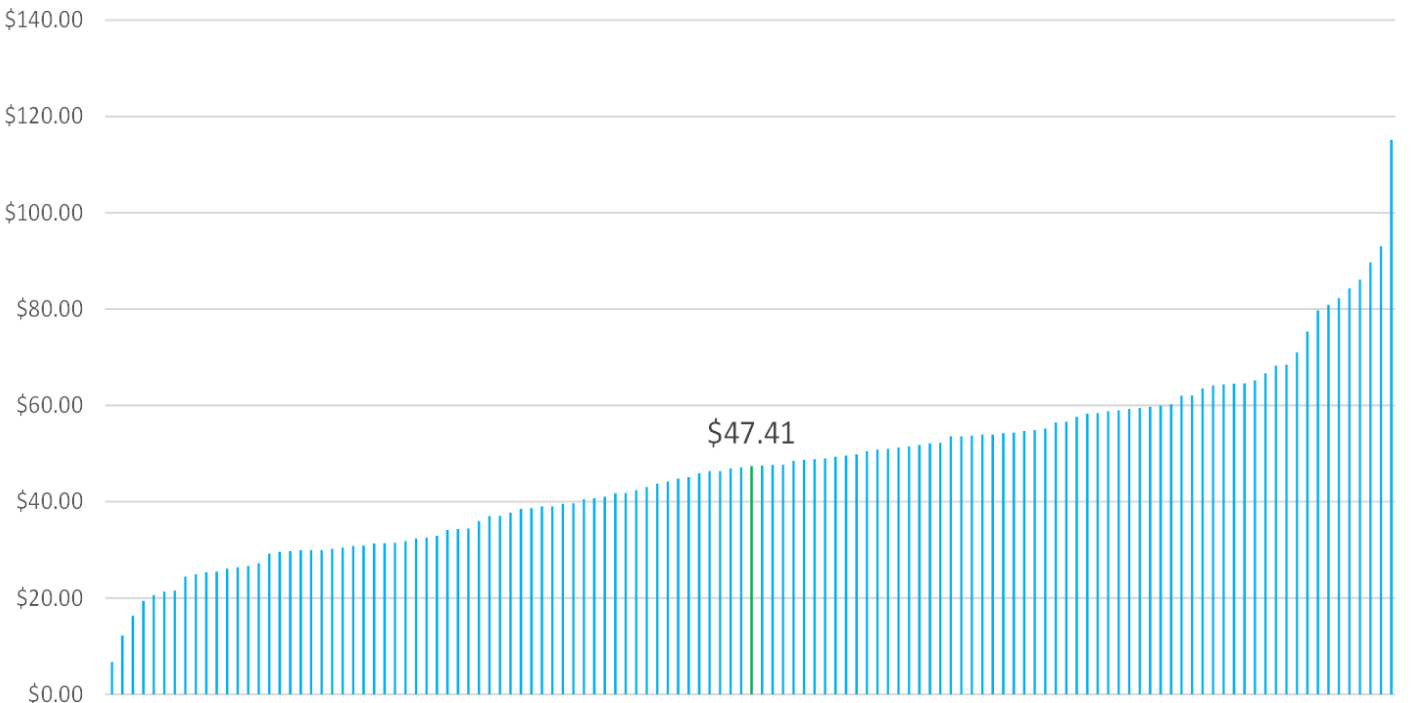
Usage		COS Rates		Current Rates		Proposed Rates		Monthly Change		Daily Change		Current \$/kGal		Proposed \$/kGal	
	1	\$	48.43	\$	14.85	\$	25.05	\$	10.20	\$	0.34	\$	14.85	\$	25.05
	2	\$	51.30	\$	17.95	\$	28.35	\$	10.40	\$	0.35	\$	8.98	\$	14.18
	3	\$	54.17	\$	21.05	\$	31.65	\$	10.60	\$	0.35	\$	7.02	\$	10.55
	4	\$	57.04	\$	24.15	\$	34.95	\$	10.80	\$	0.36	\$	6.04	\$	8.74
	5	\$	59.91	\$	27.25	\$	38.25	\$	11.00	\$	0.37	\$	5.45	\$	7.65
	6	\$	62.78	\$	30.85	\$	41.55	\$	10.70	\$	0.36	\$	5.14	\$	6.93
	7	\$	65.65	\$	34.45	\$	44.85	\$	10.40	\$	0.35	\$	4.92	\$	6.41
	8	\$	68.52	\$	38.05	\$	48.15	\$	10.10	\$	0.34	\$	4.76	\$	6.02
	9	\$	71.39	\$	41.65	\$	51.95	\$	10.30	\$	0.34	\$	4.63	\$	5.77
	10	\$	74.26	\$	45.25	\$	55.75	\$	10.50	\$	0.35	\$	4.53	\$	5.58
Average Usage					4,870										

Projected Recovery By Class



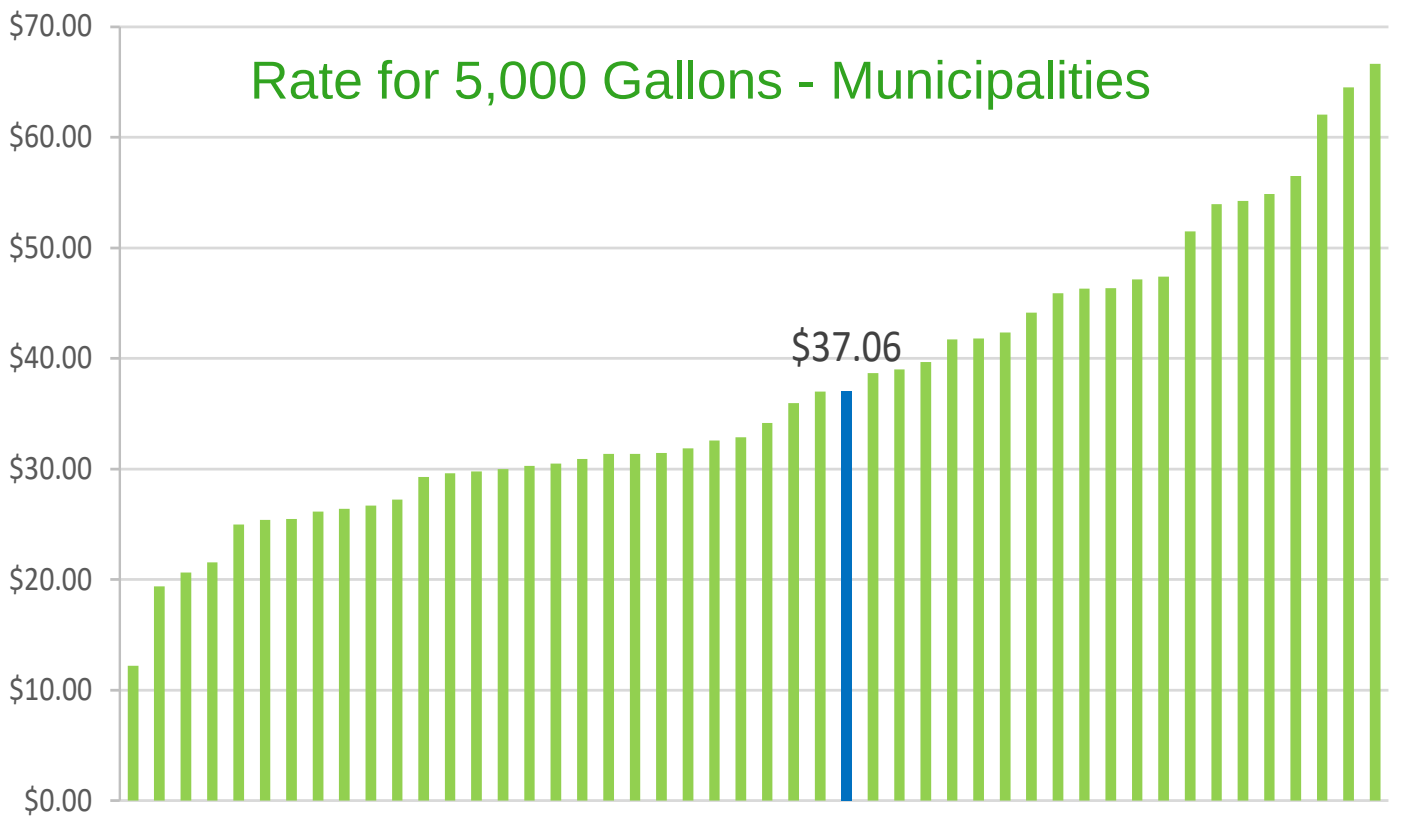
TAUD Rate Survey, 1 of 2

Rate for 5,000 Gallons All Participants



TAUD Rate Survey, 2 of 2

Rate for 5,000 Gallons - Municipalities



Future Considerations

- Consider establishing a customer charge based on meter size within each rate class.
- Consider reducing the current policy of maintaining a 2.0 Debt Service Coverage Ratio.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Liz Bermudez, Executive Secretary, liz@columbiatn.com 931.560.1510

AGENDA ITEM TITLE:

2ND CONSIDERATION OF ORDINANCE NO. 4512 - AN ORDINANCE TO AMEND TITLE 18, CHAPTER 3 OF THE COLUMBIA MUNICIPAL CODE BY AMENDING 18-310 TO INCREASE THE WATER IMPACT FEE UPON NEW WATER CUSTOMERS TO SERVE THE DEMAND FOR WATER SYSTEM CAPITAL FACILITIES AND PUBLIC IMPROVEMENTS

RECOMMENDATION:

INFORMATION: CPWS has requested the impact fee schedule be increased across the board over a 3-year period. CPWS President and Chief Executive Officer Jonathan Hardin will be present to explain the request.

ATTACHMENTS: Staff Report, Ordinance No. 4512, Supporting Documentation.

**AN ORDINANCE TO AMEND TITLE 18, CHAPTER 3 OF THE
COLUMBIA MUNICIPAL CODE BY AMENDING 18-310 TO
INCREASE THE WATER IMPACT FEE UPON NEW WATER
CUSTOMERS TO SERVE THE DEMAND FOR WATER SYSTEM
CAPITAL FACILITIES AND PUBLIC IMPROVEMENTS**

WHEREAS, new development in the City of Columbia requires an increase in the capacity of the City's water system to serve the new development; and

WHEREAS, it is the intent of the City of Columbia to:

(A) promote the health, safety, and general welfare of the people of Columbia and accommodate orderly growth and development;

(B) provide for the imposition and collection of an impact fee upon new City water customers to serve the demand for water system capital facilities and public improvements; and

(C) ensure that new water customers contribute their proportionate share of the cost of capital expenditures necessary to provide public facilities and infrastructure that has a rational nexus to the proposed development; and

WHEREAS, the City of Columbia has the authority to impose a water impact fee pursuant to Private Chapter 194, Senate Bill 2905, a private act passed by the Tennessee Legislature on April 20, 1994. The private act was approved by the Columbia City Council by a two-thirds majority on October 25, 1994, proclaimed by the Mayor of the City and certified by the Tennessee Secretary of State;

WHEREAS, by Ordinance No. 4445 enacted on December 8, 2022, the current Water Impact Fee was enacted; and

WHEREAS, after additional consideration of the impact of new and upgraded cost providing potable water service studies that have been performed for the Board of Public Utilities, the Water Impact Fee should be increased to account for the increased costs.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY OF COLUMBIA, as follows:

Section 1: That the Columbia Municipal Code is hereby amended by replacing in its entirety Section B Title 18, Chapter 3, Section 18-310 of the

Municipal Code with new Section B (1) "Fee Assessment and Collection" as follows:

(A) Fee Assessment and Collection

(1) No building permit that is associated with a new or enlarged water meter shall be issued until the applicable water impact fee has been calculated and security ensuring payment has been provided based on the size and type of the water meter according to the following water impact fee schedules.

September 1, 2024

<u>Meter Size</u>	<u>Impact Fee</u>
3/4"	\$ 5,000.00
1"	\$ 8,400.00
2"	\$ 27,000.00
3"	\$ 84,000.00
4"	\$ 167,000.00
6"	\$ 417,000.00
8"	\$ 834,000.00
10"	\$1,434,000.00

July 1, 2025

<u>Meter Size</u>	<u>Impact Fee</u>
3/4"	\$ 5,500.00
1"	\$ 9,200.00
2"	\$ 30,000.00
3"	\$ 92,000.00
4"	\$ 184,000.00
6"	\$ 459,000.00
8"	\$ 917,000.00
10"	\$1,577,000.00

July 1, 2026

<u>Meter Size</u>	<u>Impact Fee</u>
3/4"	\$ 6,000.00
1"	\$ 10,000.00
2"	\$ 32,000.00
3"	\$ 100,000.00
4"	\$ 200,000.00
6"	\$ 500,000.00
8"	\$1,000,000.00
10"	\$1,720,000.00

Section 2: That Ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF THE
CITY OF COLUMBIA, TENNESSEE, This the _____ day of _____, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY -CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration _____



Memorandum

To: Board of Public Utilities
From: Jonathan Hardin 
Date: April 24, 2024
Re: Proposed Water Impact Fee Action

The CPWS Board must provide a recommending resolution to the City Council of Columbia, Tennessee for adopting changes to the impact fee structure to better have growth pay for growth. CPWS management, in close collaboration with Jackson Thornton, IDG and legal counsel, provides for consideration the attached resolution.

The resolution recommends three impact fee increases of \$500 per single family unit (SFU) equivalent, and CPWS would desire to implement the first \$500 increase on August 1, 2024, after two readings with the City Council and a 30-day notice period. The next two impact fee increases would occur on July 1, 2025 (FY26), and July 1, 2026 (FY27).

These increases are to the cost of a ¾" meter service representing one SFU equivalent. The cost of larger meters is normalized to the number of SFU equivalents that particular meter can serve up to a 10" meter. Tables of meter sizes, and the amount to reserve that meter's capacity, are attached to the resolution. The purchase of a meter remains is based on the water system's ability to serve through hydraulic review of each meter request.

Jackson Thornton's last presentation is provided and will be used to educate the City Council on the need for this action prior to the City Council vote.

CPWS management recommends the attached resolution for increases to the impact fee structure over the next three fiscal years be approved and submitted to the City Council of Columbia (TN) for their consideration and vote.

**RESOLUTION REQUESTING THAT THE CITY COUNCIL OF THE
CITY OF COLUMBIA, TENNESSEE CONSIDER FOR ADOPTING
AN ORDINANCE AMENDING TITLE 18, CHAPTER 3, SECTION 18-310,
OF THE MUNICIPAL CODE OF THE CITY OF COLUMBIA BY REPLACING
IN ITS ENTIRETY PRESENT SECTION B “FEE ASSESSMENT AND COLLECTION” AND
APPROVING A NEW SECTION B(1)**

WHEREAS, by Resolution dated April 24, 2024, the Board of Public Utilities (the “Board”) of the City of Columbia, Tennessee (the “Municipality”), found that it was necessary and in the public interest to seek an increase to its water impact fee; and

WHEREAS, the Board after additional consideration of the impact of new and upgraded cost providing potable water service studies that have been performed for the Board, it requests that the Municipality adopt and approve the attached amended Ordinance which replaces in its entirety Section B Title 18, Chapter 3, Section 18-310 of the Municipal Code with new Section B(1) “Fee Assessment and Collection”; and

WHEREAS, a copy of the amended proposed Ordinance is attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Public Utilities of the City of Columbia, Tennessee, that this Board hereby recommends to the City Council that the City Council approve the Amended Ordinance, in substantially the form as attached hereto, to amend Title 18, Chapter 3, Section 18-310 of the Municipal Code of the City of Columbia by replacing in its entirety present Section B(1) and adopting and approving new Section B(1).

BE IT FURTHER RESOLVED, that a duly certified copy of this Resolution be immediately transferred to the City Council of the Municipality.

APPROVED AND ADOPTED, this the 24th day of April, 2024.

ATTEST:

CHAIRMAN

SECRETARY



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: 1ST CONSIDERATION ON ORDINANCE NO. 4513 - AN ORDINANCE AMENDING ORDINANCE NO. 4176 BY REPEALING AND REPLACING THE ACCESS MANAGEMENT PLAN WITH A NEW ACCESS MANAGEMENT PLAN

RECOMMENDATION: Approve Ordinance No. 4513 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend Ordinance 4176, with changes concerning Access Management, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance 4513, Exhibit A, Staff Markup.

**AN ORDINANCE AMENDING ORDINANCE NO. 4176 BY REPEALING AND
REPLACING THE ACCESS MANAGEMENT PLAN WITH A NEW ACCESS
MANAGEMENT PLAN**

WHEREAS, the City of Columbia Municipal Planning Commission has been established and exercises the planning power as provided under the provisions of Tennessee Code Annotated §13-3-102 and §13-3-301 thru §13-3-304. In addition, the City of Columbia has an approved Zoning Ordinance adopted under the provisions of Tennessee Code Annotated §13-7-201; and

WHEREAS, the Columbia Municipal Planning Commission has reviewed revisions to the Connect Columbia Plan regarding the Access Management Plan for the City of Columbia, Tennessee.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That the Connect Columbia Plan, regarding the Access Management Plan for the City of Columbia, Tennessee, Tennessee be amended by repealing and deleting the current Access Management Plan and replacing such plan with a new Access Management Plan as described in Exhibit "A", which is attached hereto and incorporated herein by reference.

Section 2: This Ordinance is passed after review of Columbia Zoning Ordinance Section 8.5.20 by the Columbia Municipal Planning Commission, with a recommendation of approval, following a public hearing, on the 8th day of August, 2024, with notice of said hearing being given in The Daily Herald of Columbia, Tennessee, thirty (30) days or more before said hearing.

Section 3: This ordinance shall take effect thirty (30) days after passage by the City Council of the City of Columbia, Tennessee.

Section 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, This the 12th day of September, 2024.

CHARLES M. (CHAZ) MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



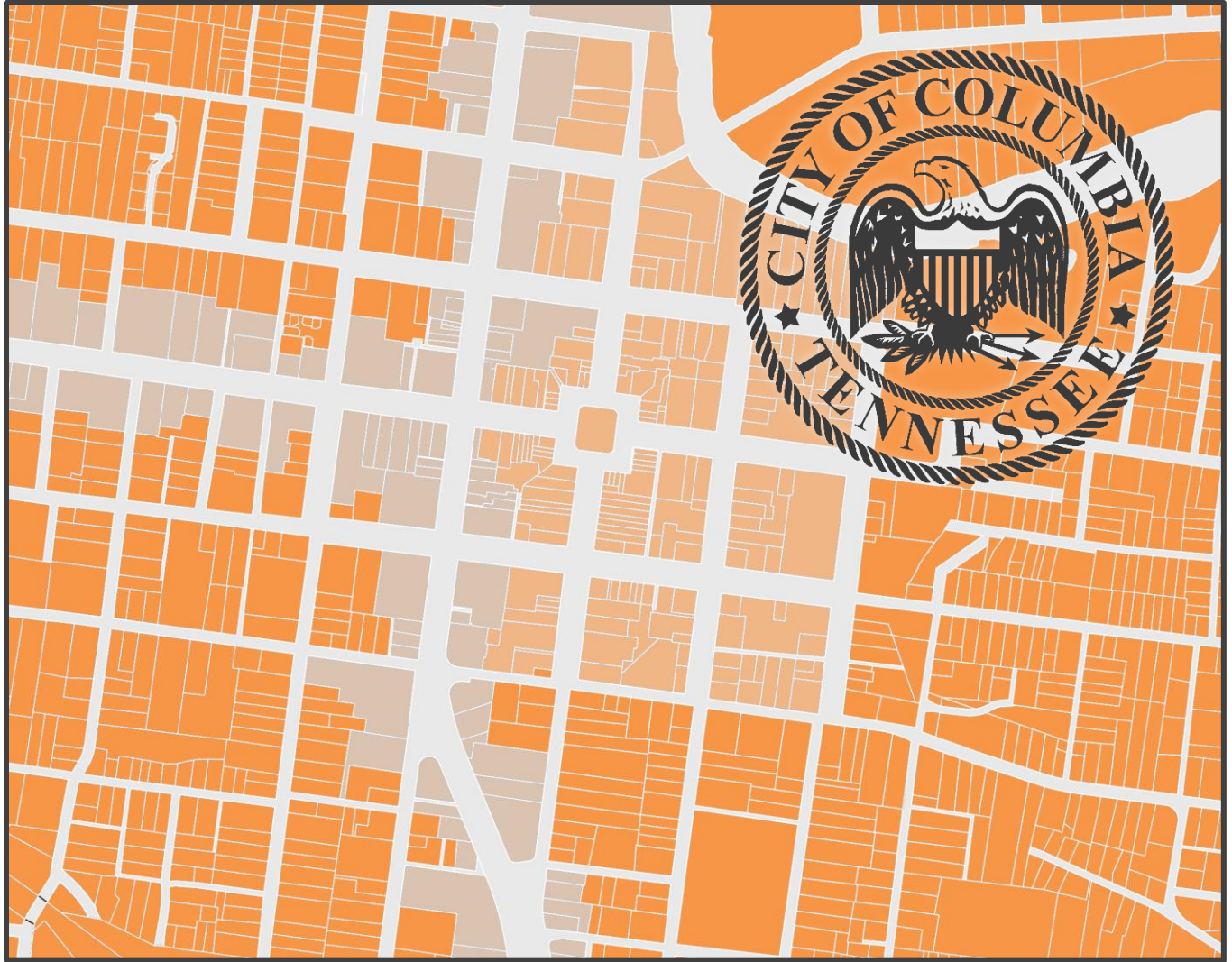
C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY, CITY MANAGER

Passed on 1st consideration: _____

Passed on 2nd consideration: _____



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, 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.

1.3.2 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.

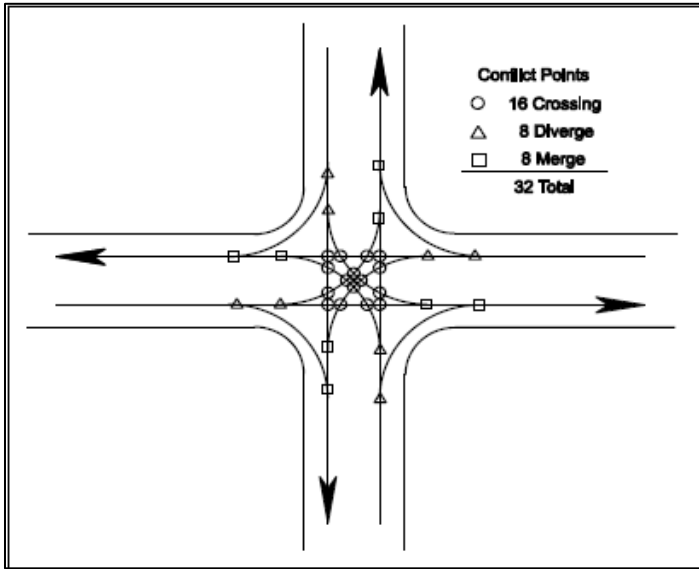
2.3 Ten Principles of Access Management

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.

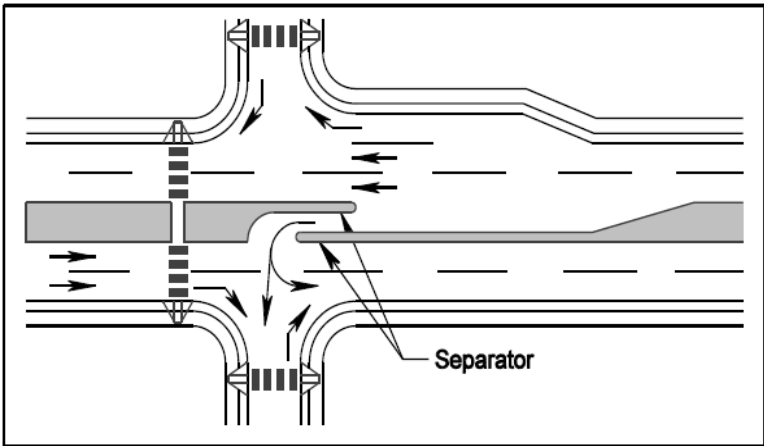
8. Remove Turning Vehicles from Through Traffic Lanes: Turning lanes reduce the severity and duration of conflicts between turning vehicles and improves the safety and efficiency of intersections.
9. Use Non-traversable Medians to Manage Left Turn Movements: Non-traversable medians and other techniques 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

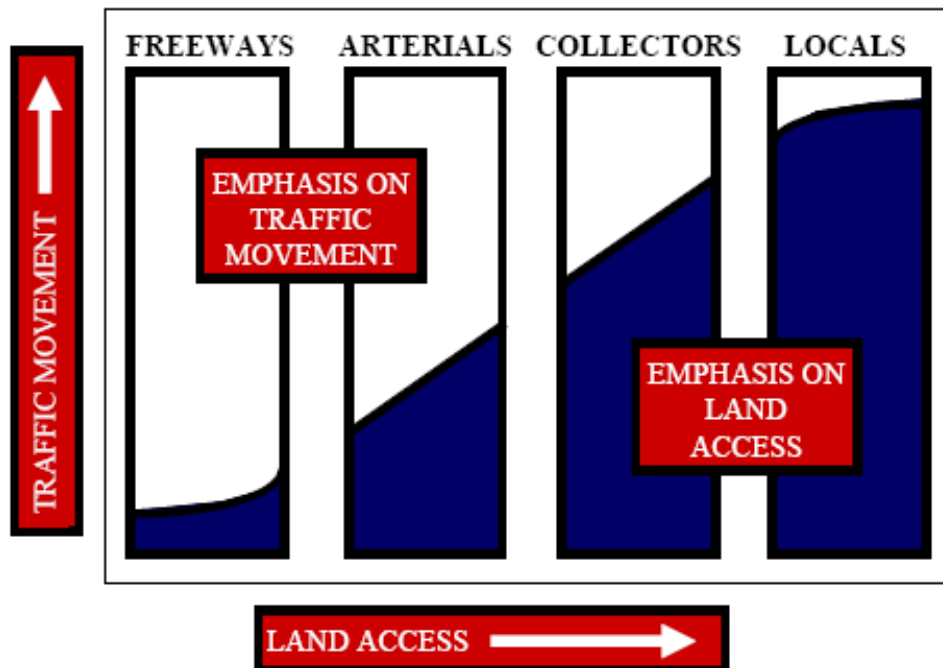
2.4 Roadway Function Classification

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 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.

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.

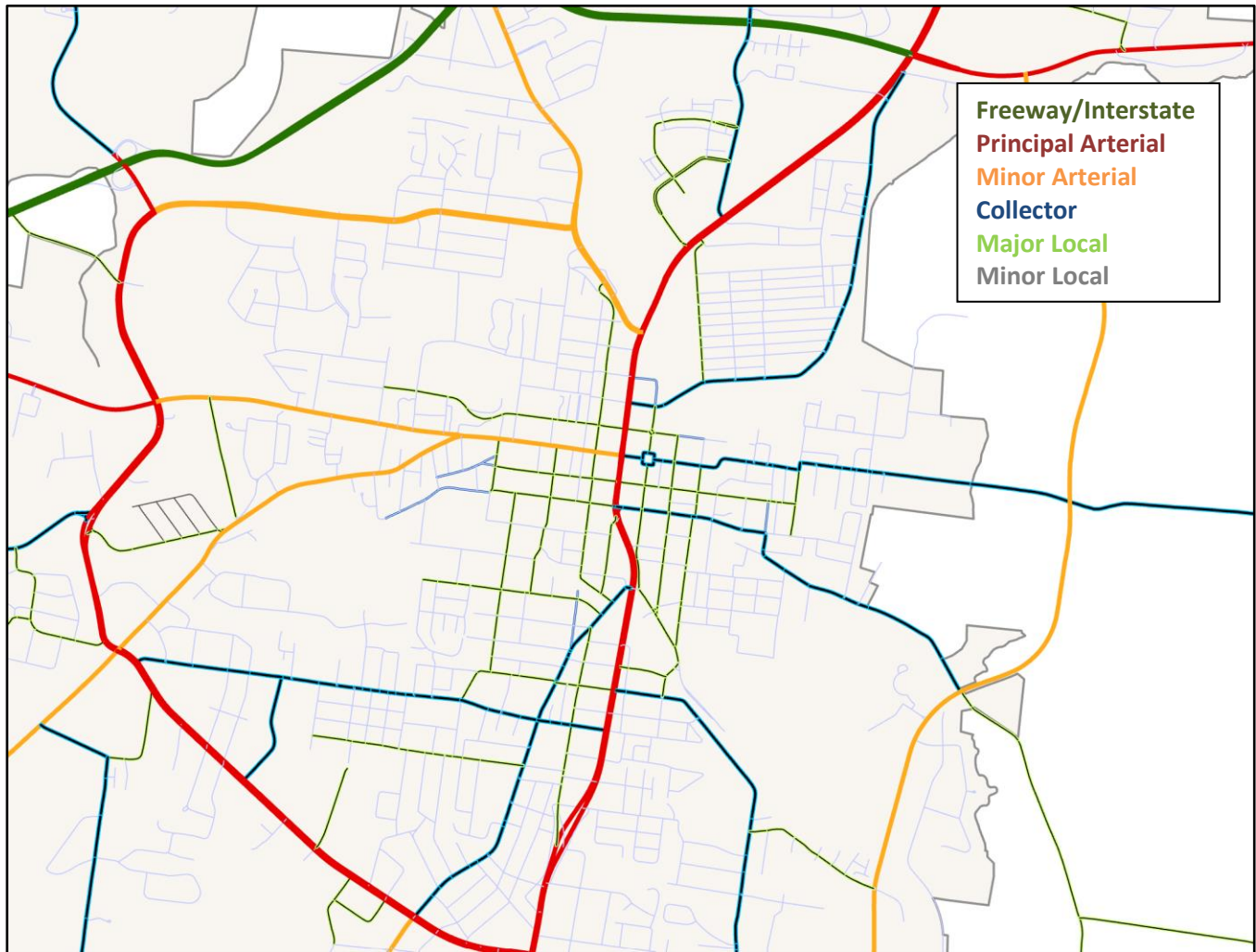
Major Local Street Classification

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

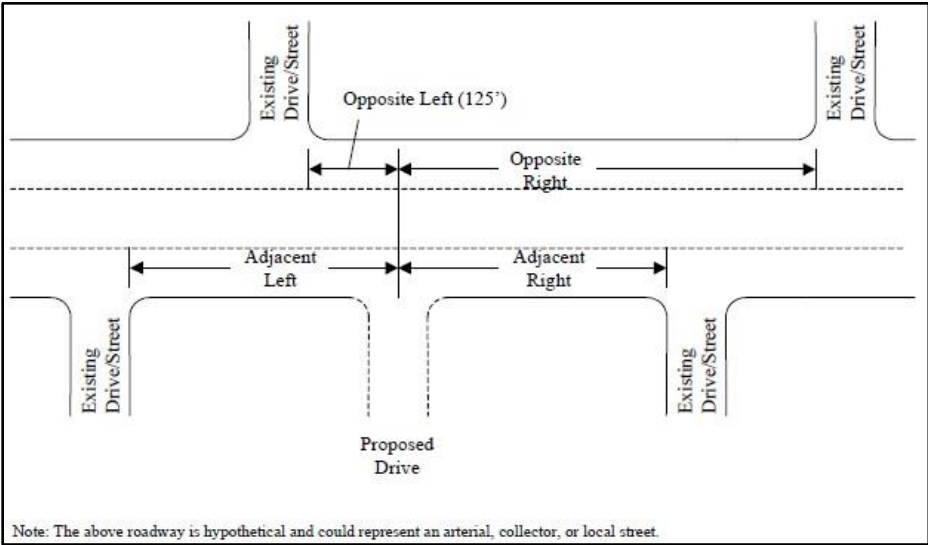


Table 2: Access and Driveway Spacing Requirements

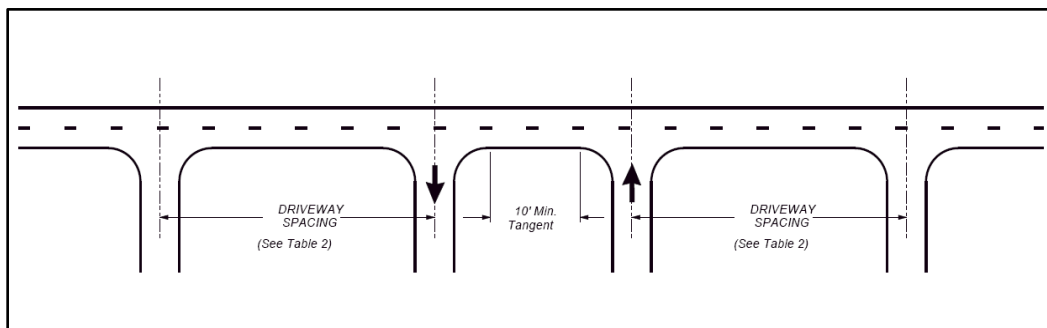
Functional Classification of Intersected Roadway	Distance (ft.)
Principal Arterial	440
Minor Arterial	330
Collector	220
Major Local	100
Minor Local, Non-Residential	50

**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

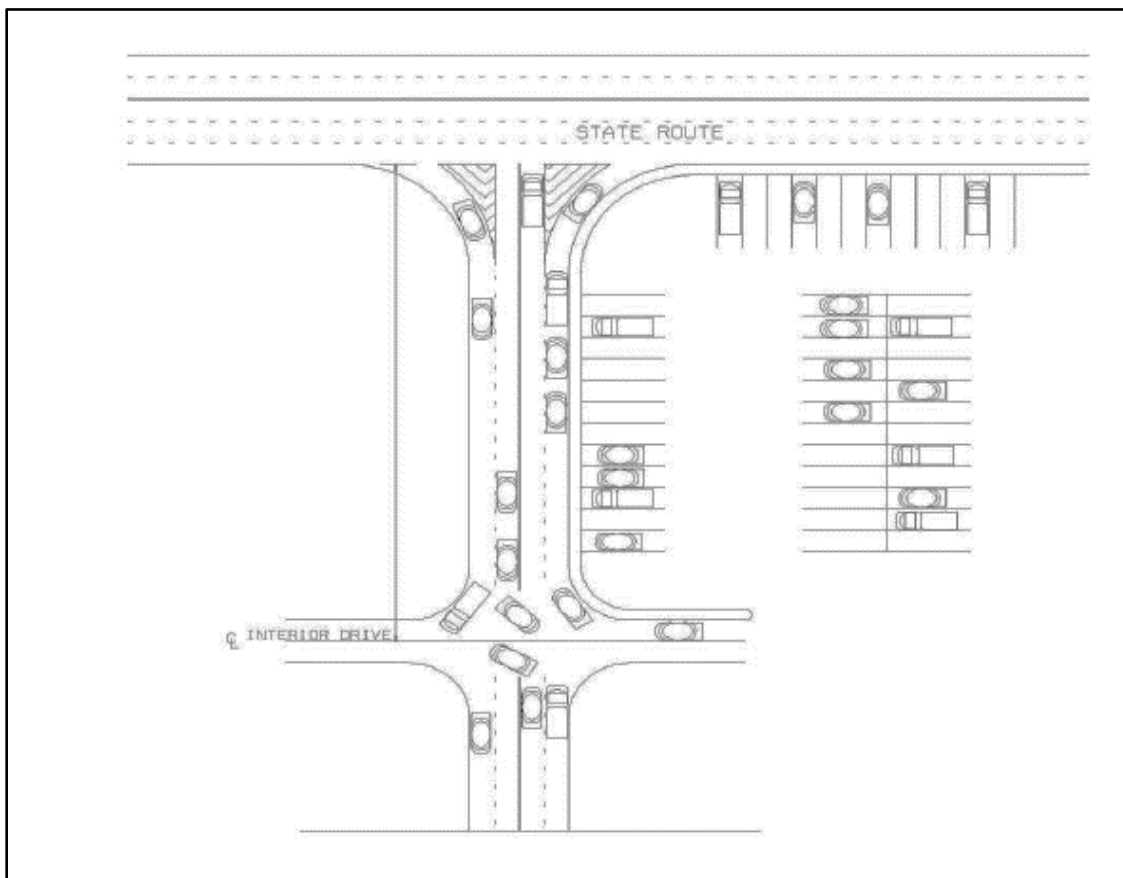


- D. The connection spacing requirements may be reduced in situations where they prove impractical, but in no case shall the permitted spacing be less than 80% of the applicable standard. Such a reduction in spacing requirements must still result, to the greatest extent possible, in uniform spacing between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

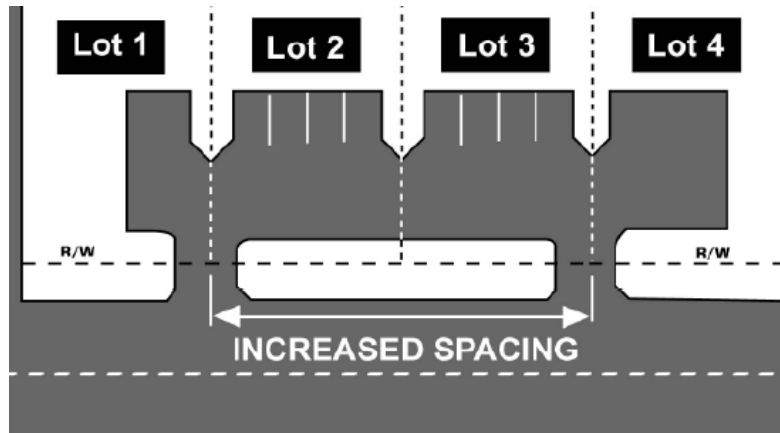
Figure 7: Placement of Interior Drives



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

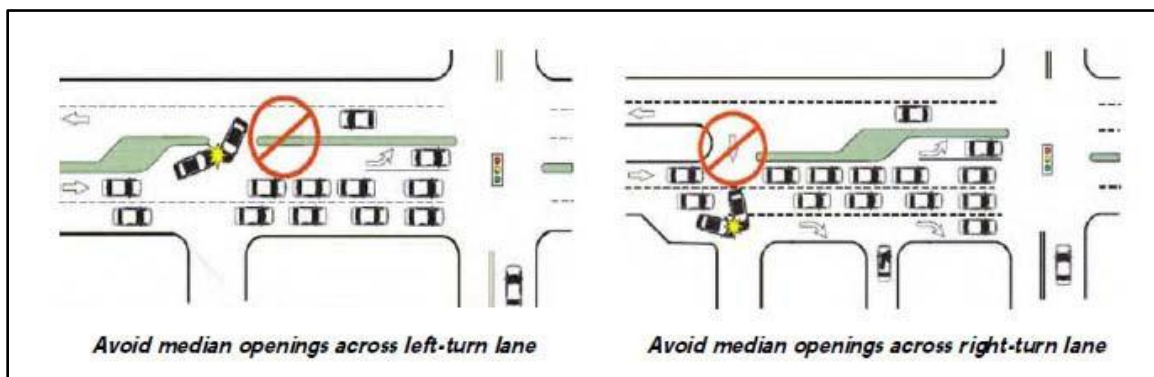
- A. New median openings or turn bays shall be allowed to provide access to a city street or to provide access to a private development only where the opening or turn bay can be constructed to satisfy the design standards set forth in this section. In no case shall median openings be located within the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

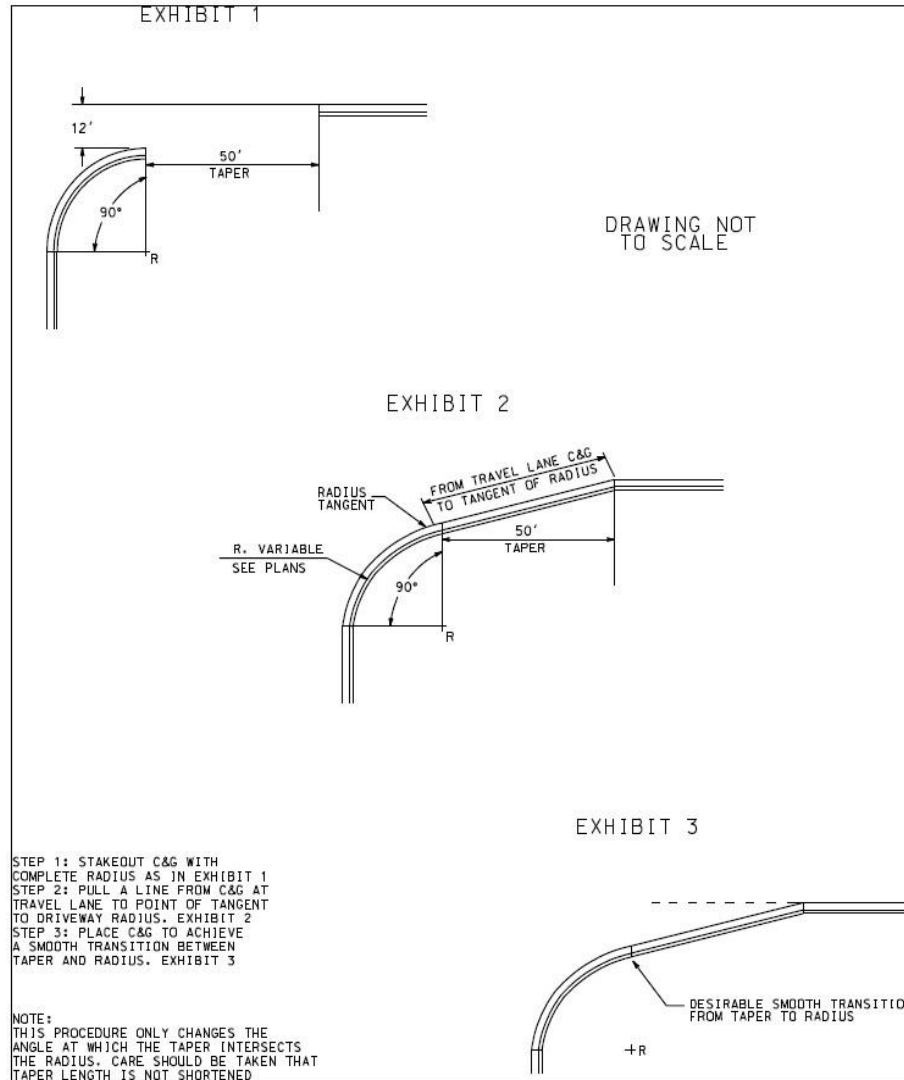
3.3.1 Deceleration Lanes

- 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

Accessed By Driveway	Intersecting Street		
	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

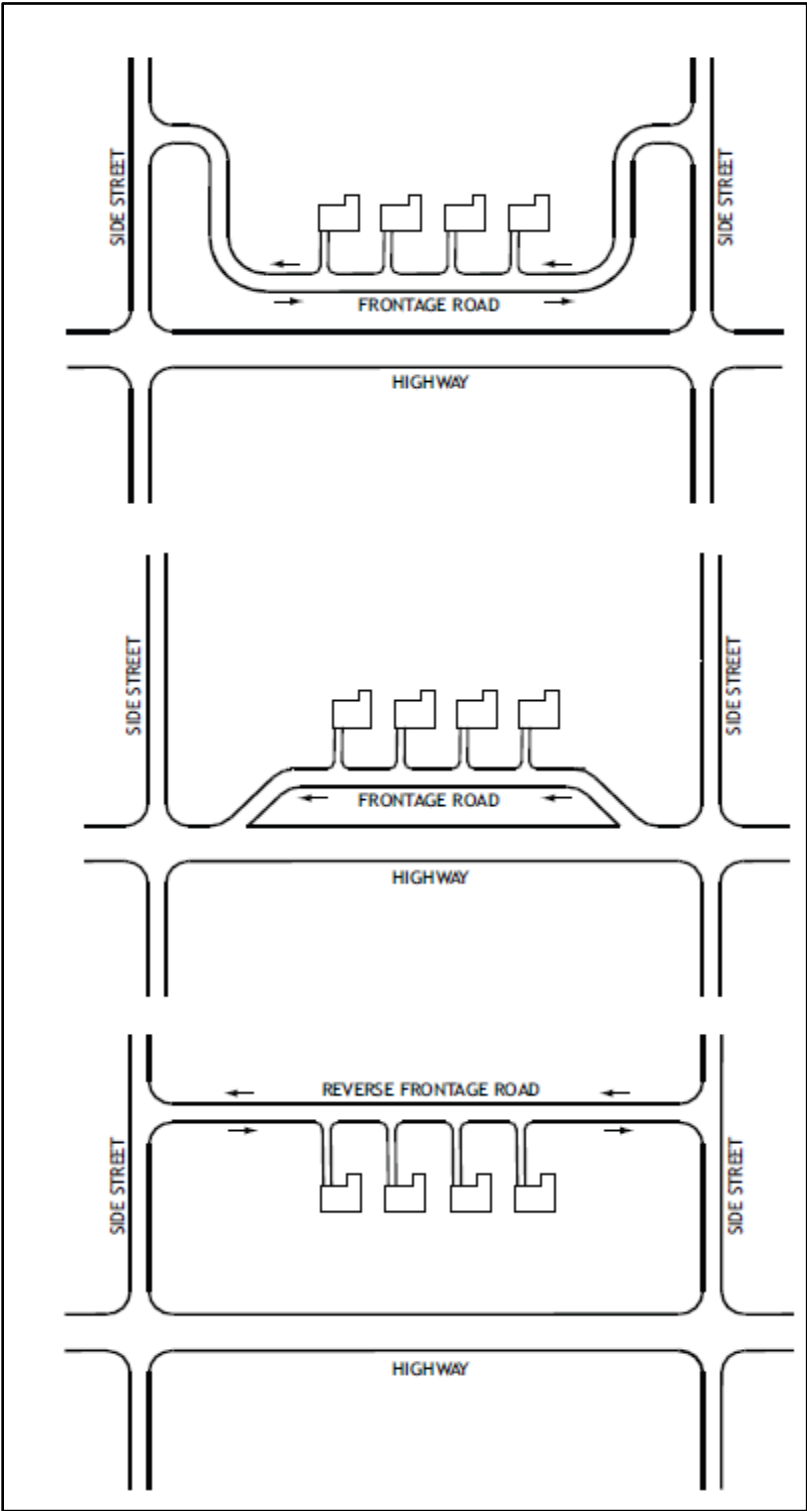
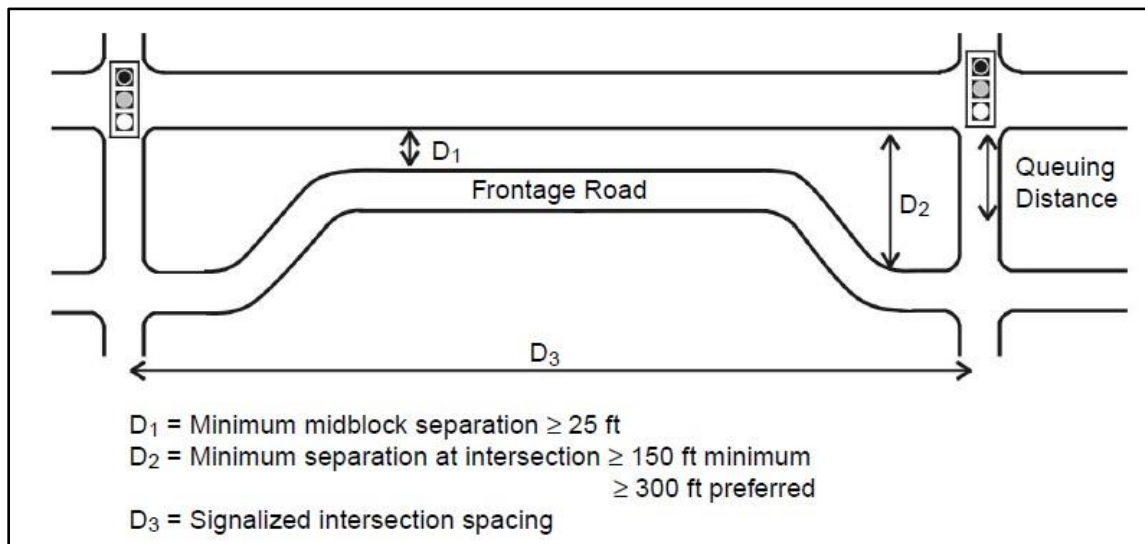


Figure 12: Frontage roads in residential or light office areas can work well where they are one way and begin and end between major crossroads.



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.

<http://www.ctre.iastate.edu/Research/access/amhandbook/index.htm>

Access Management Manual, 2nd Ed. (2014).

Access Management Committee of the Transportation Research Board. Washington, D.C.

Atlanta Regional Commission. (December 2009).

<http://www.atlantaregional.com/html/23.aspx>

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/DrivewayFull.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>

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

Commented [DT1]: The intent is that driveways that are aligned on opposite sides of the road would not be subject to a minimum separation requirement as the desire is that they do align. Either align or separate enough such that conflicts points and congestion are reduced.

Table 3: Corner Clearance Requirements

Accessed By Driveway	Intersecting Street		
	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.	50 100 ft.
Local	100 ft.	50 ft.	50 ft.

Commented [DT2]: Matches the corresponding and similar driveway separation requirements, see 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.

Commented [DT3]: This was inadvertently omitted and was originally a requirement.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: 1ST CONSIDERATION ON ORDINANCE NO. 4514 - AN ORDINANCE TO AMEND THE COLUMBIA MUNICIPAL CODE BY DELETING TITLE 14, CHAPTER 4 PERTAINING TO STORMWATER MANAGEMENT REGULATIONS IN ITS ENTIRETY AND REPLACING SUCH SECTION WITH A NEW TITLE 14 CHAPTER 4 PERTAINING TO STORMWATER MANAGEMENT

RECOMMENDATION: Approve Ordinance 4514 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend the Stormwater Management Ordinance. The intent of this ordinance is to make the language of the Chapter consistent with the language in the State MS4 Permit and BMP Manuals. Planning Commission recommended approval at the June 5, 2024 meeting by a vote of five to zero.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance 4514, Exhibit A.

**AN ORDINANCE TO AMEND THE COLUMBIA MUNICIPAL CODE BY DELETING
TITLE 14, CHAPTER 4 PERTAINING TO STORMWATER MANAGEMENT
REGULATIONS IN ITS ENTIRETY AND REPLACING SUCH SECTION WITH A
NEW TITLE 14 CHAPTER 4 PERTAINING TO STORMWATER MANAGEMENT**

WHEREAS, some of the objectives of the City government are to protect, maintain and enhance the environment of the City of Columbia and to promote the health and general welfare of the citizens of the City of Columbia; and

WHEREAS, in order to meet such objectives it is necessary to enact updated stormwater management regulations to accomplish said purpose.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1. That Title 14, Chapter 4 of the Columbia Municipal Code is hereby repealed and deleted in its entirety and replaced with a new Title 14, Chapter 4 Stormwater Management, which is attached hereto as Exhibit “A” and incorporated herein by reference.

Section 2. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA,
TENNESSEE, this the _____ day of _____ 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FOR APPROVED:



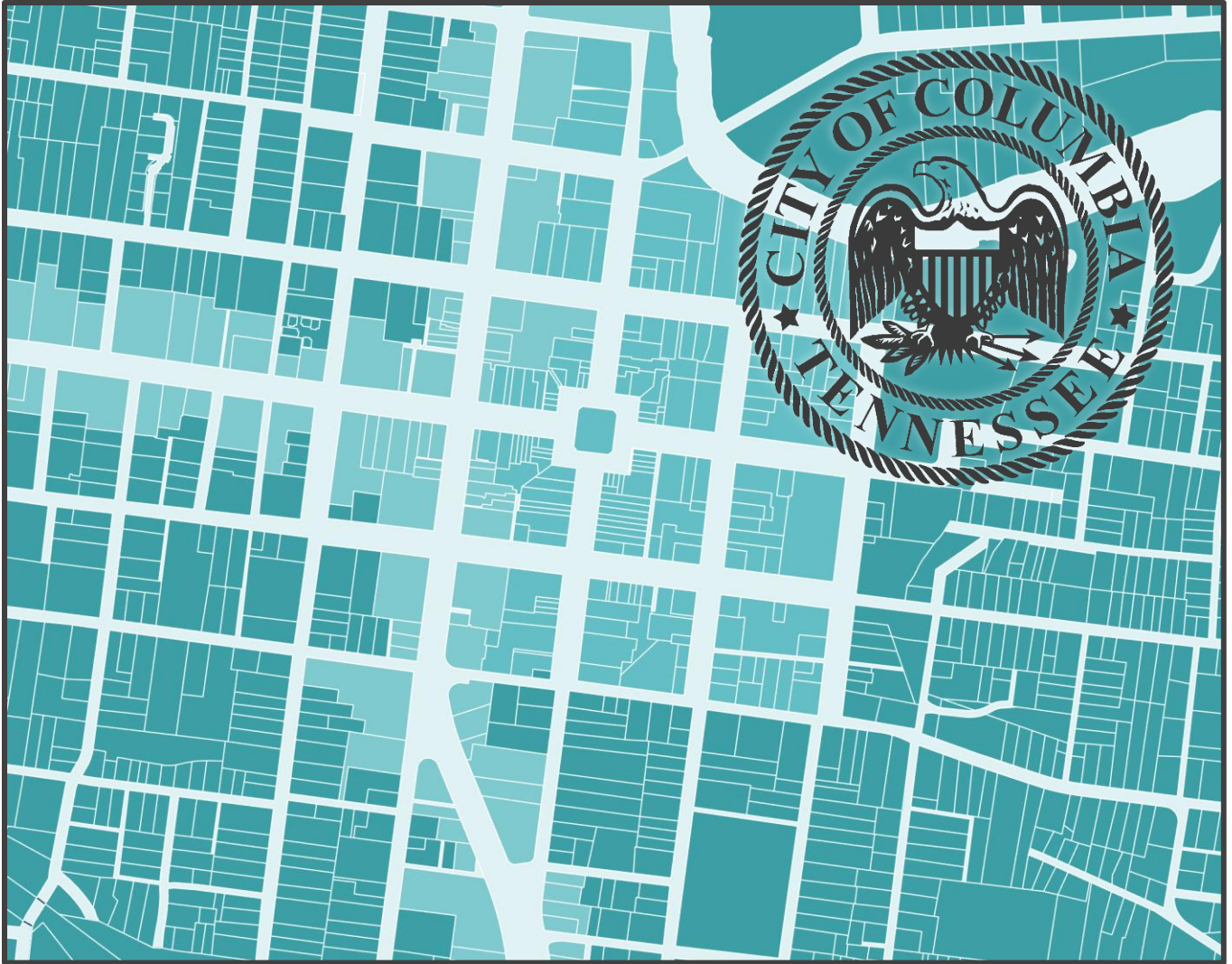
C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY – CITY MANAGER

Passed on 1st consideration: _____

Passed on 2nd consideration: _____



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 to 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 x 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.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: 1ST CONSIDERATION ON ORDINANCE NO. 4515 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING ADMINISTRATION, PROCEDURE, & ENFORCEMENT IN ARTICLE 8 BY REPEALING AND REPLACING SUCH ARTICLE 8 WITH A NEW ARTICLE 8 ADMINISTRATION, PROCEDURE, & ENFORCEMENT

RECOMMENDATION: Approve Ordinance 4515 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 8: Administration, Procedure, & Enforcement, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance 4515, Exhibit A, Marked Changes, DS Staff Report.

AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING ADMINISTRATION, PROCEDURE, & ENFORCEMENT IN ARTICLE 8 BY REPEALING AND REPLACING SUCH ARTICLE 8 WITH A NEW ARTICLE 8 ADMINISTRATION, PROCEDURE, & ENFORCEMENT

WHEREAS, Section §13-7-201 of the Tennessee Code Annotated empowers the city to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals and general welfare of the city to enact such an ordinance; and

WHEREAS, the City Council, pursuant to the provisions of Section §13-4-101 of the Tennessee Code Annotated has appointed a Planning Commission to recommend the appropriate regulations to be enforced therein; and

WHEREAS, on the 5th day of June 2024, the Planning Commission reviewed and recommended specific changes in accordance with Section 8.5.18, of the Zoning Ordinance regarding Administration, Procedure & Enforcement in Article 8. As a result, Article 8 is being repealed in its entirety and replaced with a new Article 8 which is attached hereto as Exhibit "A" and incorporated herein by reference. Said recommendations are being considered after a public hearing held on the 8th day of August, 2024, notice of which was published in the Daily Herald of Columbia fifteen (15) days or more prior to said meeting.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That Ordinance Number 4400, the same being the Zoning Ordinance of the City of Columbia, Tennessee is hereby amended by repealing and deleting Article 8 in its entirety and replacing such Article with a new Article 8, Administration, Procedure & Enforcement which is attached hereto as Exhibit "A" and incorporated herein by reference;

Section 2: That the City Council satisfies the requirements of Section 8.5.18.J.4, by making specific findings as to the following:

- 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.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
COLUMBIA, TENNESSEE, this the 12th day of September, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY – CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration: _____

ARTICLE 8:

ADMINISTRATION, PROCEDURE, & ENFORCEMENT

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ARTICLE 8: ADMINISTRATION, PROCEDURE, & ENFORCEMENT

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 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 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 section , 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;

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- 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 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 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.

1. The Zoning Administrator shall have the following additional responsibilities:
2. Provide information to the public on all matters relating to this Ordinance;
3. Receive, file, and forward to all necessary agencies all applications for Conditional Uses and for amendments to this Ordinance;
4. Undertake a study of the provisions of this Ordinance, and make reports of his/her recommendations to the Planning Commission as necessary.
5. Receive, file and forward to the Board of Zoning Appeals all applications for matters which the Board of Zoning Appeals is required to review under the provisions of this Ordinance;
6. Maintain permanent and current records of this Ordinance, including, but not limited to, all maps, amendments, Conditional Uses, Variances, appeals, and applications therefor;
7. Prepare an annual report summarizing annexation requests and subsequent action on such requests, and submit the same annually to the City Council;
8. Not make changes in the provisions of this Ordinance, excepting as provided in Section 8, and
9. 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. 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.

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 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.

1. In execution of the provisions of this Ordinance, the City Council shall have the following powers and duties:
2. Final decision on amendments to this Ordinance;
3. Final decision on Rezoning;
4. Final decision on adoption of/or amendments to the Comprehensive Plan,
5. Final decision on the preliminary Master PUD Development Plan of a Planned Unit Development;
6. Final decision on a Heavy Manufacturing Permit; and
7. 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.

1. In execution of the provisions of this Ordinance, the Planning Commission shall have the following powers and duties:
2. Final decision on certain Development Plans;
3. Make recommendations to the City Council on amendments to this Ordinance;
4. Make recommendations to the City Council on Rezoning;
5. 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;
6. 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;
7. 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;

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8. Make recommendations to the City Council on a preliminary Master PUD Development Plan; and
9. Make recommendations on compliance for a Final PUD Development Plan or Plat; and
10. 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 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 of 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

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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, 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.

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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.

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.

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:
 - d. On motion by Board of Zoning Appeals member to reconsider the vote; or
 - e. 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 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.

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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.

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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.

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.

1. Subject to state law and the procedures prescribed hereunder, the Historic Zoning Commission shall have the following powers, functions and duties:
2. 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.
3. 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).
4. 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.
5. To conduct a survey of Buildings, places or areas within the City for the purpose of identifying those of historic or cultural significance.

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6. 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.
7. To submit and to review all applications designating Historic Districts.
8. 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.
9. To determine an appropriate system of markers for designation of Historic Districts.
10. To prepare and publish maps, brochures and other descriptive material about the City's Historic Districts, Historic Landmarks and Historic Structures.
11. 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.
12. To advise and assist owners of Historic Properties on physical and financial aspects of preservation, renovation, rehabilitation and reuse.
13. To accept gifts, grants and money as may be appropriate for the purposes of this Article.
14. To adopt, publish and make available Bylaws for the conduct of Historic Zoning Commission meetings.
15. To exercise such powers as may be delegated it by the Tennessee Historical Commission under the certified Local Government's Historic Preservation 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.
16. To review proposed zoning amendments, applications for Conditional Use Permits, Variances, and applications for subdivision that affect proposed or designated Historic Districts.
17. To retain such specialists or consultants or to appoint such citizen advisory committees as may from time to time be required.
18. To confer recognition upon the owners of property within Historic Districts.
19. To develop a preservation component in the Comprehensive Plan of the City and to recommend it to the Planning Commission.
20. To review periodically this Ordinance and to recommend to the Planning Commission and City Council any amendments appropriate for the protection of Historic Properties..
21. 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.

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22. 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 Commission.

A. Creation.

1. There is hereby created the Architectural Design Review Commission for the purpose of reviewing Development applications that are subject to design review pursuant to this Ordinance.
2. As authorized by T.C.A. Section 6-54-133, the Columbia Municipal Planning Commission is designated the city's Architectural Design Review Commission, with the authority to develop, adopt, and apply general guidelines for the exterior appearance of properties within the City of Columbia.

B. Design Standards.

In addition to the design standards incorporated in this ordinance, the Planning Commission may develop and adopt exterior appearance guidelines that are applicable throughout the city as well as exterior appearance guidelines that are applicable only to specified areas within the city.

C. Powers & Duties.

1. The Architectural Design Review Commission shall be responsible for reviewing proposals for Site Development Plan, Building Permit, or Planned Unit Development approval for compliance with the applicable architectural design standards.
2. The Architectural Design Review Commission may approve alternative materials and methods of compliance which, in the determination of the Planning Commission, provide aesthetic value which meets or exceeds the prescribed standards.
3. The Zoning Administrator may approve alternative materials and methods of compliance with design standards for existing structures and Site Development Plans for which the Zoning Administrator is the Decision-Making Authority. The alternative means of compliance must provide aesthetic value which meets or exceeds the prescribed standards. The Zoning Administrator may refer any determination of alternative compliance to the Architectural Design Review Commission. Any property owner may appeal the Zoning Administrator's determination to the Architectural Design Review Commission. The appeal shall be by a written notice to the Zoning Administrator, stating: the guideline at issue; the alternative compliance proposed; and, the owner's reasons for seeking relief from the guideline. The appeal shall be treated as a site development plan for purposes of assessing fees and application requirements.

D. Appeals

1. Any property owner affected by the guidelines for exterior appearance may appeal a decision under those guidelines to the City Council. The appeal shall be by a written notice to the Zoning Administrator, stating: the guideline at issue; the alternative compliance proposed; and, the owner's reasons for seeking relief from the guideline. The appeal shall be treated as a site development plan for purposes of assessing fees and application requirements.

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2. The decision of the City Council shall be final and binding.

E. Annual Report.

The Architectural Design Review Commission 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 Commission and any recommendations for changes to this ordinance.

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 Rezoning, Site Development Plan, Subdivision Plat, and Master PUD Development Plan or amendment to Master PUD Development Plan in accordance with 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.

8.3.8 Other Review & Decision-Making Authorities.

A. General.

1. 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.
2. Development Services Department;
3. Department of Public Works;
4. Wastewater Department;
5. Fire Department;
6. City Power and Water Systems;
7. Police Department;
8. Other departments and agencies as may be required under applicable law.

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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 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. Plot Plan or Zoning Permit 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

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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 initiate an interpretation concerning the provisions of this Ordinance. The Planning 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 with 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;

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- b. Consult with and coordinate with other staff 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.

The following **Table 8.5.3 (Review Authority)** summarizes review authority under this Ordinance.

Table 8.5.3 Review Authority							
Application or Permit	Zoning Administrator	Architectural Design Review Commission	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	--	--	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	--	--	A*	--	--	8.5.23
Certificate of Occupancy (Zoning Compliance)	D	--	--	A*	--	--	8.5.11
Historic District Designation	R	--	R*	A*	--	D	8.5.12

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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	--	R	D*	8.5.19
Plan Amendment/Adoption	R	--	R	--	R	D*	8.5.20
Preliminary PUD Development Plan Approval	R	--	R	--	R*	D*	8.5.21
Final PUD Development Plan Approval	R	--	--	--	D*	--	8.5.21
Heavy Manufacturing Permit	R	--	--	--	--	D	8.5.22
Alternative Compliance with Design Standards	D/R	A/D	--	--	--	A	8.5.15
Alternative Performance	R	--	R	--	D	--	8.5.6
Subdivision	D/R	--	--	D	D	--	8.5.24

LEGEND

R – Review or Recommendation

D – Decision

A – Appeal

***** – Public Hearing

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.

The Zoning Administrator may require applicants to 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 by this Ordinance.

C. Application Requirements.

1. Applications required under this Ordinance shall be submitted on forms and in such numbers as required by the appropriate Zoning Administrator. All forms shall include, at a minimum, the following information:
 - a. Contact information for the individual or firm submitting the application.

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- 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. The Zoning Administrator shall determine whether an application contains all required information 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 missing or incomplete items and provide a specific period of time for the applicant to resubmit the material for the next application deadline. 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.
 - 10. The Zoning Administrator may require an applicant to present evidence of authority to submit the application.
 - 11. 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)**.

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	●		

2. 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 action.

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3. 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.
4. 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.
5. If the signs are removed during the decision process, the signs shall be replaced by the Development Services Department.
6. Posted notices shall be installed by the City in conformance with the following:
 - a. At least one sign shall be placed as close as possible to the property line fronting on a public street at the point of clearest visibility.
 - b. In situations where site conditions prevent the placement of signs in conformance with the requirements in Sections 8.5.4.D.7.a above, shall be placed at the clearest point of visibility as determined by the Zoning Administrator.
7. 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.
 - e. All letters shall be mailed at least ten days prior to the scheduled meeting, hearing, or other action.

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- f. Letters shall be mailed to all owners of property that is Adjacent to the property in question.
8. 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.
9. 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				
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 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 initiate the review according to the procedures established under Section 8.2.1.E..

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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. 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.

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, 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 a Development Plan that has been prepared, submitted, reviewed and certified in accordance with this Article and all standards and requirements applicable thereto.

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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 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. 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

for which no Conditional Use Permit, Variance, or Rezoning is necessary;

1. Major 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 Planning Commission is identified as the Decision Making Authority in Section 8.5.6.D below; and
2. 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

D. Decision-Making Authorities.

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1. The Zoning Administrator shall be the Decision-Making Authority for Plot Plans. However, the Zoning Administrator shall have the discretion to refer 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, or an application referred by the Zoning Administrator.

E. Review by other Departments.

The Zoning Administrator shall ensure that all appropriate entities have reviewed the application and had opportunity to comment.

F. Development Plan Requirements - General.

The following requirements are applicable to all Development Plans and applications:

1. 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.
2. State or Federal regulations may require that additional information be supplied as a part of a submittal.
3. 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.
4. 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.
5. 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.

G. Development Plan Procedures - Submission of Application.

1. No later than six (6) months after a required pre-application meeting, , 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.

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2. The application must adhere to the format established under Section 8.2.1.E.

H. Development Plan Procedures - Staff Review.

1. 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;
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,.
4. If the Zoning Administrator determines that a Development Plan application remains incomplete, the Zoning Administrator shall notify the applicant of such determination with a written explanation regarding which items are incomplete.
5. Applications which remain incomplete following two resubmittal deadlines may be deemed unresponsive and regarded as withdrawn by the applicant.

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 any applicable 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. 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.
 - 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;
 - 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;
 - d. Compliance with site construction requirements;

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- 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
- f. Compliance with requirements for Easements or dedications.

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 Alternative 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 Alternative 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

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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 Alternative 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.

If the Planning Commission declines to approve a proposed method of Alternative Performance, the Site Development Plan must conform to strict application of the prescribed standards of the Zoning Ordinance.

K. Development Plan Procedures -Decision-Making Authority's Action.

1. The Site Development Plan shall be approved or disapproved by the Decision-Making Authority in accordance with the review criteria of Section 8.5.6.I, 8.5.6.J and Sections 8.5.6.K.2-.5 below:

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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.
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 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.

L. Comment Compilation.

Pursuant to Section 8.5.6.E, the Zoning Administrator shall compile all staff comments on behalf of the applicable Decision-Making Authority for a Site Development Plan in light of the applicable requirements of this Ordinance. A copy of these comments shall be provided to the Applicant.

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.

N. 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.

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.

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.

Q. Appeal.

1. Final action by the Zoning Administrator on a Plot Plan may be appealed in accordance with Section 8.5.17.

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2. Final action by the Zoning Administrator on a Minor Site Development Plan may be referred to the Planning Commission.
3. Final action by the Planning Commission on a Development Plan may be appealed may appeal by certiorari to a court of competent jurisdiction.

R. Construction & Use Pursuant to Approved Application, Plans, & Permits

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, enjoined or punishable as provided by Section 8.6.

8.5.7 Floodplain Development Permit.

A. Applicability.

1. Within any Floodplain District:
2. 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;
3. 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
4. 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:
 - c. Elevation in relation to mean sea level of the proposed lowest floor (including Basement) of all Structures;
 - d. Elevation in relation to mean sea level to which any Non-Residential Building will be floodproofed;
 - e. 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

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- f. 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 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;
 - h. 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
 - i. 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

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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.

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.

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- (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 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.
2. The provisions of this section shall not apply to Temporary Uses occurring within the public right-of-way, except as provided for in section 4.3.9.E.6.x.

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.

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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. Temporary Use Permit for Mobile Vending

1. All permits for Mobile Vending shall expire one year from the date of issuance, and shall be renewable.
2. The fee for a Mobile Vending permit shall be established as provided under Section 8.5.4.C.; applicants found to be operating without a permit within the previous twelve (12) months shall be charged 200% of the regular fee.
3. Prior to issuing a permit for Mobile Vending, the Zoning Administrator shall confirm that the City of Columbia Fire Marshal has inspected the mobile vending apparatus and issued a fire permit certifying compliance with the International Fire Code, or that the Fire Marshal has accepted an equivalent fire permit.

E. Revocation of Temporary Use Permit.

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.

F. 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 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

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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.

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

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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;
 - 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.

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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;
 - 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;

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- 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.

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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 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.

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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 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 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.

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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. 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;
 - 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;

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- 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
 - 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.

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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 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.

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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

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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 unappealed Historic Zoning Commission decision under the provisions and guidelines for 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 Commission 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, or concurrent with approval of a Site Development Plan, or Preliminary Planned Unit Development Master Plan, 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 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 Commission.

All reviews by the Architectural Design Review Commission 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 Commission 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.

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2. Applicants are encouraged (but not required) to begin the process with a conceptual presentation of the project to the Architectural Design Review Commission at the initial review meeting.
3. In cases where the Architectural Design Review Commission 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.

E. Approval Authority.

For all applications that include Buildings which are subject to Design Review, the Architectural Design Review Commission shall approve or deny a proposal. The Zoning Administrator shall approve or deny requests by delegation described in 8.3.6.C.3.

F. Design Review Criteria.

1. In their consideration, the Architectural Design Review Commission shall consider the following:
 - a. Compatibility with the surrounding Structures; and
 - b. Compliance with applicable design standards and requirements of this Ordinance or the 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.

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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 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

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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;

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- b. Approve the request with conditions;
 - c. Deny the request; or
 - d. Continue the hearing.
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;

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- (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;
- (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

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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
 - 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

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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. 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

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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 facts stated in the certificate, a stay would, in their opinion, cause imminent peril to life or property or that because the violation

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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.

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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 Plot Plan or Zoning Permit.
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 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.

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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:
 - 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.

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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 Plan or applicable local plans, as determined by the Planning Commission (see Section 8.5.20). The Planning Commission is not obligated to recommend approval of requests which would bring existing zoning into conformity with the Comprehensive Plan prior to the time such change is warranted by the findings of 8.5.19.H.4.e and f.
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.

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1. Rezoning must correspond with the boundary lines of existing platted Lots, Building Sites, or tracts, or 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 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 concept plan meeting the minimum requirements established by the Zoning Administrator 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 a concept plan or a Master PUD Development Plan, as applicable, shall have been reviewed pursuant to Section 8.3.7 and Section 8.5.4 or as applicable, 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, provided the Planning Commission is not obligated to recommend approval of requests which would bring existing zoning into conformity with the Comprehensive Plan prior to the time such change is warranted by the findings of 8.5.19.H.4.e and f;
 - 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 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;

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- e. It has been determined that conditions affecting the area have changed to a sufficient degree 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. Notice of Public Hearing.

Prior to approval, any request for Rezoning shall require a public hearing before the City Council, which shall be placed on the agenda of the next available City Council meeting. 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.

J. Initial Consideration by City Council.

The City Council shall hold an initial consideration of the petition for Rezoning after conducting a public hearing. The request must receive an affirmative vote upon first consideration in order to proceed to second consideration.

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, affirmative votes on two considerations before the City Council shall be required for the petition to be approved. If the Planning Commission recommended denial of the request, the petition must receive a favorable vote of a majority of the entire membership of the City Council to be approved.
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:

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- a. The Rezoning is consistent 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 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. 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.

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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.

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;

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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 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:

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- 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

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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-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.

I. Application Requirements.

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 guidelines and procedures established under Section 8.2.1.E.

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 guidelines and procedures established under Section 8.2.1.E and sufficient information to disclose:

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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.
 3. The Zoning Administrator shall review the Preliminary Master PUD Development Plan 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.
 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.
 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.

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 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.

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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; or
 - c. Disapproval.
5. If the Planning Commission recommends conditional approval, the Zoning Administrator shall transmit the Planning Commission's conditions in writing to the applicant 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.
6. 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.
7. 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.
8. 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.

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

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- 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.

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.
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:

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- 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.

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 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. complete by,. No Final Master PUD Development Plan or amendment to Final Master PUD Development Plan shall be formally presented to the Planning Commission until the Zoning Administrator determines the application is complete and ready for review.

2. 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.

O. Final Master PUD Development Plan - Phased Approval.

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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.

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.

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;

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- 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.

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.
3. The Planning Commission may approve the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan with conditions or modifications.
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 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.

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6. In the event of disapproval, the Zoning Administrator shall prepare a written report on behalf of the Planning Commission and sent to the City Council and the applicant. This report shall detail the grounds on which the Final Master PUD Development Plan or amendment to Final Master PUD Development Plan was denied.

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 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.

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.

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

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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.

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 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 Final Master PUD Development Plan or amendment to Final Master PUD Development Plan, including the any conditions or modifications required for approval.

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.W 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 this section 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:

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- 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 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 8.5.21W, 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.

X. PUD Control After Completion.

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1. After the 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.
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.
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.
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.
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.

Y. Re-Subdivision of PUD After Completion.

A completed PUD may be subdivided and re-subdivided for purpose of sale or lease 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.

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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.

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.

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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.

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

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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 Chief Building Official in accordance with this Section 8.5.23.

B. Applications

Sign Permit applications shall be made with the Chief Building Official.

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 Chief Building Official 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 Chief Building Official.

E. Issuance of Sign Permit

A Sign Permit shall be issued by the Chief Building Official if and only if:

1. the applicant pays the application fee in accordance with a fee schedule adopted by the Commission,

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2. the Chief Building Official 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 Chief Building Official 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 Chief Building Official, 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, Chief Building Official, 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.

C. Correction of Violation.

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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, Chief Building Official, 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 Chief Building Official 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 Chief Building Official, 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.

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- (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 Chief Building Official, 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 Chief Building Official, 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.

G. Request for Reconsideration Review.

If any Person shall feel aggrieved by the determination of the Zoning Administrator or Chief Building Official 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 Chief Building Official 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;

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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.

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 Chief Building Official 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 Chief Building Official 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 Chief Building Official shall reinspect the site, and, if any of such violations still exist, the Chief Building Official 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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§ 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

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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 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;

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- 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;

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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. 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.

Clarifies the responsibility of staff to establish a process of review

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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 8.5.6.1.3~~ 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~~ he Planning

Revised to gender neutral language

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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.

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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.

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- ~~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.

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- 238 6. ~~An~~ The Zoning Administrator shall determine whether an
239 application ~~that~~ contains all required information ~~shall be~~
240 ~~deemed complete, and shall only initiate the review and~~
241 ~~processing of applications determined to be complete.~~
- 242 7. If the application is determined not to be complete, the Zoning
243 Administrator shall notify the applicant. The notification shall
244 list ~~all~~ missing or incomplete items and provide a specific period
245 of time for the applicant to resubmit the material for the next
246 ~~scheduled meeting~~ application deadline. ~~The applicant may~~
247 ~~request an additional meeting for explanation of the missing or~~
248 ~~incomplete items. If the application is not resubmitted within~~
249 ~~the period specified by the Administrator, the application shall~~
250 ~~be deemed rejected and shall not be accepted for filing.~~ After
251 an application has been rejected, a new application and fee
252 shall be required.
- 253 8. A determination of completeness does not preclude any
254 negative final action and does not include any implied
255 determination that the application successfully meets any
256 review criteria.
- 257 9. If an incomplete application is erroneously deemed complete
258 and later determined to be incomplete, Section 8.5.4.C.7 shall
259 apply. ~~The applicant may rely on the recommendations of the~~
260 ~~appropriate department as to whether more or less~~
261 ~~information should be submitted.~~
- 262 10. The Zoning Administrator may require an applicant to present
263 evidence of authority to submit the application.
- 264 11. ~~Applications sufficient for processing shall be submitted to the~~
265 ~~Zoning Administrator in accordance with the published~~
266 ~~calendar schedule.~~ Schedules indicating submittal dates shall
267 be developed each year and made available to the public.
268 Applications sufficient for processing shall be submitted to the
269 Zoning Administrator in accordance with the published
270 calendar schedule.

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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:

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- 301 a. The sign shall specify the phone number for the City
302 Development Services Department.
- 303 b. The sign shall be constructed of a rigid waterproof
304 material, such as plastic board or metal. Letters shall
305 be at least 2" tall.
- 306 c. The sign shall have a minimum dimension of 18" tall
307 by 24" wide and legs of sufficient length to raise the
308 top of the sign 36" above the adjacent grade.

- 309 5. For an application to be considered complete, at least ten days
310 prior to the meeting, the applicant and/or the Development
311 Services Department shall post any required signs. The signs
312 shall remain in place and in readable condition until one of the
313 following occurs:

- 314 a. The request has received final action by the Decision-
315 Making Authority; or
- 316 b. The applicant withdraws the request.

- 317 6. If the signs are removed during the decision process, the signs
318 shall be replaced ~~and re-certified~~ by the Development Services
319 Department.

- 320 ~~6. Signs for all requests shall be removed following final~~
321 ~~action by the Decision Making Authority or when the~~
322 ~~applicant withdraws the request.~~

*Removes language redundant
with #5 above*

- 323 7. Posted notices shall be installed by the City in conformance
324 with the following:

- 325 a. At least One sign shall be placed ~~on or to the~~
326 ~~closest extent~~ as close as possible ~~along to~~ the
327 property line fronting on a public street at the
328 point of clearest visibility.

*Allows staff to determine the
most visible location for posted
notice*

- 329 ~~b. Properties fronting on more than one public street~~
330 ~~must have one single sign on the property line~~
331 ~~fronting along each public street.~~

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332 ~~c. Signs shall be placed at mid — point on the street~~
333 ~~frontage from which the site is addressed. If signs~~
334 ~~are not clearly visible at such midpoints, then they~~
335 ~~shall be placed at the clearest point of visibility as~~
336 ~~determined by the Zoning Administrator.~~

337 ~~d. On properties where existing Structures encroach~~
338 ~~into the minimum sign setback area, the sign shall be~~
339 ~~located on such Structures so that the top of the sign~~
340 ~~is located seven to ten feet above grade.~~

341 e.b. In situations where site conditions prevent the
342 placement of signs in conformance with the
343 requirements in Sections 8.5.4.D.7.a ~~through~~
344 ~~8.5.4.D.7.d~~ above, shall be placed at the clearest
345 point of visibility as determined~~alternative~~
346 ~~placement may be approved~~ by the Zoning
347 Administrator.

348 8. For mailed notice, in addition to other requirements that may
349 be required for the specific procedure, the following shall be
350 required:

351 a. All letters shall be sent by the City using certified U.S.
352 Mail.

353 b. The letter shall specify the street address and phone
354 number for the City Development Services
355 Department.

356 c. If the letter shall contain a notice of an upcoming
357 meeting or hearing, the letter shall include the date,
358 time, location of the meeting and the body before
359 which the meeting or hearing shall take place.

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- d. The letter shall contain the proposed action and street address, or parcel identification, 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.
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:

Not all properties have street addresses

§ 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

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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.

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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.

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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.

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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

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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

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546 opportunity to comment. ~~These review entities may include, but are not~~
547 ~~limited to: Department of Public Works, Inspections Department, City~~
548 ~~Engineer, and others. It is encouraged that the applicant addresses all~~
549 ~~concerns raised by these entities.~~

550 F. Development Plan Requirements - General.

- 551 1. The following requirements are applicable to all Development
552 Plans and applications:

553 a. All Development Plans shall be submitted in accordance
554 with Section 8.5.4 and all procedures and guidelines
555 established under Section 8.2.1.E.-

556 b. ~~In addition,~~ State or Federal regulations may require that
557 additional information be supplied as a part of a submittal.

558 c. Each Development Plan required under this Article shall be
559 prepared, signed, and submitted by or on behalf of the
560 Owner of the applicable property or authorized agent. The
561 Zoning Administrator may establish minimum evidence
562 sufficient to demonstrate owner authorization.-If such
563 Plan is prepared, signed, or submitted on behalf of such
564 Owner, a written durable irrevocable power of attorney
565 authorizing such actions to be taken on behalf of the
566 Owner shall accompany the Plan.

567 d. Other information concerning the Lot, Building Site,
568 Development Parcel, or other land or Adjacent Lot,
569 Building Site, Development Parcel, or other land as may
570 be deemed essential by the Zoning Administrator, City
571 Engineer or other reviewers to determine whether the
572 provisions of this Ordinance and other applicable
573 regulation are met.

574 d.e. Any other information or items deemed necessary by the
575 Planning Commission to determine the conformity of the
576 Site Development Plan with the spirit and intent of this
577 Ordinance, which information or items as specifically
578 identified to the applicant in writing.

*Establishes minimum information for
review*

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- 579 ~~e. Each Development Plan shall be prepared in~~
580 ~~accordance with this Section 8.5.6.F and must~~
581 ~~conform to all applicable requirements of this~~
582 ~~Ordinance.~~
- 583 ~~f. Each Development Plan must include all items~~
584 ~~described in Section 8.5.6.G.~~
- 585 ~~g. Each Development Plan must be submitted for review~~
586 ~~and action in accordance with this Section 8.5.6.F~~
- 587 ~~h. Each Development Plan shall include:~~
- 588 ~~(1) The name and address of the Applicant and the owner~~
589 ~~of record, if different from the Applicant.~~
- 590 ~~(2) The name, address, signature, and seal of the~~
591 ~~professional preparing the Plan.~~
- 592 ~~(3) The title of the Development, date prepared, and date~~
593 ~~of revisions, if any.~~
- 594 ~~(4) Legal description of the property and tax parcel~~
595 ~~identification.~~
- 596 ~~(5) A location map drawn to a scale of no smaller than one~~
597 ~~inch (1") equals 200 feet, with a North arrow, and~~
598 ~~written and graphic scale legend.~~
- 599 ~~(6) Existing zoning of the property and all Adjoining~~
600 ~~properties.~~
- 601 ~~(7) The identification of all Adjacent properties, including~~
602 ~~owners' names.~~
- 603 ~~(8) Description of all existing and proposed restrictions or~~
604 ~~covenants applicable to the site.~~
- 605 ~~(9) Location, width and purpose of all existing and~~
606 ~~proposed Easements, Setbacks, Yards, reservations~~
607 ~~and areas, dedicated to public use, both within and~~
608 ~~Adjacent to the property.~~
- 609 ~~(10) Certified survey of existing conditions of the~~
610 ~~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*

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~~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~~

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642 ~~limitation those applicable to the District in which the land~~
643 ~~covered by such Development Plan is situated; provided~~
644 ~~however, that a conceptual Development Plan submitted~~
645 ~~as part of an application for Zoning Text Amendment or~~
646 ~~Rezoning need only provide information to describe the~~
647 ~~intended Development; and provided further that solely~~
648 ~~with respect to a Development Plan submitted for~~
649 ~~approval of a Development Plan modification, such Plan~~
650 ~~shall be required to include only those elements being~~
651 ~~changed.~~

652 ~~2. Development Plan applications that cover property located,~~
653 ~~either wholly or in part, within a Floodplain District shall:~~

654 ~~a. Be submitted in conformance with this Section 8.5.6;~~

655 ~~b. Indicate the location of area(s) subject to flooding.~~

656 ~~c. Require the issuance of a Floodplain Development Permit~~
657 ~~prior to final approval (see Section 6.12)~~

658 **~~G. Sketch Development Plan Requirements.~~**

659 ~~At minimum, in addition to meeting all requirements under Section~~
660 ~~8.5.6.F above, each Sketch Development Plan shall be fully dimensioned~~
661 ~~and at a scale no smaller than 1" = 200' except as otherwise specifically~~
662 ~~provided in this Ordinance, and shall be in compliance with the~~
663 ~~standards and requirements of the Zoning Map, any other applicable~~
664 ~~approved Plan, and this Ordinance and shall:~~

665 ~~1. Show the actual shape, location and dimensions of the overall~~
666 ~~project site and each Lot or Building Site;~~

667 ~~2. Show the shape, size, and location of all Buildings or other~~
668 ~~Structures to be constructed, erected, Altered or moved, and~~
669 ~~of any Building or other Structure already on project site and~~
670 ~~each Lot or Building Site;~~

671 ~~3. Include the existing and intended use of each Lot, Building Site,~~
672 ~~and other land and of all Buildings or other Structures upon it,~~
673 ~~including the number of Dwelling Units or other measure of~~

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~~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~~

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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,~~

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~~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.~~

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- 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~~

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- (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,~~

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- ~~(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;~~

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- (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~~

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- ~~(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,~~

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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~~

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949 ~~date, which schedule shall be pursued with diligence~~
950 ~~until completion by the owner of the property and its~~
951 ~~successors in interest;~~

952 ~~(21) If the proposed project will require other approvals,~~
953 ~~such as Rezoning, Variances, Administrative~~
954 ~~Adjustments, or Conditional Use approvals, the~~
955 ~~Applicant must identify all such other required~~
956 ~~approvals;~~

957 ~~(22) All information deemed necessary by the Zoning~~
958 ~~Administrator, the Director of Public Works or the City~~
959 ~~Engineer to determine compliance with this~~
960 ~~Ordinance and all other applicable codes and~~
961 ~~ordinances;~~

962 ~~(23) Any other items required by this Ordinance with~~
963 ~~respect to any Site Development Plan or required for~~
964 ~~any other applicable Development application; and~~

965 ~~(24) Any other studies, information, or items deemed~~
966 ~~necessary by the Planning Commission or Zoning~~
967 ~~Administrator, as applicable, to determine the~~
968 ~~conformity of the Site Development Plan with the~~
969 ~~requirements of this Ordinance, which information or~~
970 ~~items as specifically identified to the Applicant in~~
971 ~~writing.~~

972 ~~(25) If the proposal includes a Development Parcel and~~
973 ~~includes or requires Construction of any Structure or~~
974 ~~exterior Alteration to an existing Structure,~~
975 ~~Development, re-Development, Improvement,~~
976 ~~subdivision, or re-subdivision of any Lot, Building Site,~~
977 ~~or other land, use of any land or Structure, or filing,~~
978 ~~issuing, applying for, approving, or certifying any~~
979 ~~subdivision application or plat, Building Permit,~~
980 ~~Conditional Use, site plan, Zoning Map or Zoning Map~~
981 ~~Amendment, or other Development approval with~~
982 ~~respect to such Development Parcel, the Sketch~~

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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;~~

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~~(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.~~

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~~(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.~~

~~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.~~

The pre-application requirement is stated above in 8.5.4

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1079 Additionally, the pre-submission conference serves to educate
1080 the applicant on the Development approval process and the
1081 information required to submit a complete Development Plan
1082 application.

1083 ~~3.~~ After the pre-application conference, the applicant may
1084 provide one complete draft copy of a proposed Development
1085 Plan application to the Zoning Administrator for pre-application
1086 review and feedback.

1087 4.2. No pre-submission discussion, statement, advice, feedback or
1088 review must be binding on the City.

1089 ~~J. Development Plan Procedures - Coordination with other~~ 1090 ~~Approvals.~~

1091 When a Development Plan requires other approvals the applicant shall
1092 identify in the Development Plan application all such other approvals
1093 that such applicant is seeking and refer a draft Development Plan to the
1094 Planning Commission to obtain such Planning Commission's
1095 recommendation prior to making application for any other such
1096 approval.

*This language is contradicted by the
Concurrent Applications provisions
(8.5.6.O of the July 2022 version of
the Ordinance)*

1097 K.G. Development Plan Procedures - Submission of 1098 Application.

- 1099 1. No later than six (6) months after feedback a required pre-
1100 application meeting on the draft Development Plan application
1101 is provided to the applicant, and no fewer than twenty (20)
1102 days prior to the meeting of the Decision-Making Authority at
1103 which the application is to be considered, the applicant shall
1104 submit complete Development Plan application, including all
1105 supporting documentation, accompanied by the appropriate
1106 submission fee to the Zoning Administrator, adhering to any
1107 published deadlines, guidelines, and procedures—printed
1108 copies and one (1) digital PDF copy of the complete
1109 Development Plan application, including all supporting
1110 documentation, accompanied by the appropriate submission
1111 fee.

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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.

L.H. Development Plan Procedures - ~~Completeness~~ Staff Review.

1. ~~Within fifteen (15) days of submission of a Development Plan application, t~~he 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.

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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.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

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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.

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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 Alternative Performance be used to avoid compliance with other applicable regulations including the Subdivision Regulations, the Engineering Standards & Specifications, the Access Management

Creates a process for Planning Commission to approve Alternative Performance equivalent to the default prescriptive standards of the Ordinance

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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 Alternative 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

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a decision to approve, approve subject to
conditions, or deny.

(2) The Planning Commission shall determine that:

(a) The proposed Alternative 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

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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.~~KQ~~.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~~.

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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.

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.

*This time limit remains in place
although it is superseded by
Section 1.24 and the Tennessee
Vested Rights Act*

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.

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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

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, enjoined or punishable as provided by Section 8.6.

Numbering removed from
single item heading

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.~~
~~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.~~

Deletion of language which
contradicts Section 2.5 and
typical process of
annexation

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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,

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- 1428 b. due to unique site conditions or the necessary and intrinsic
1429 Uses, size, or form of the Development, such Development
1430 cannot under any other plan, design, or circumstances
1431 conform to one of more of the Character Districts or
1432 standards therefor specified in this Ordinance,
- 1433 c. the rezoning, the related Master PUD Development Plan,
1434 and the proposed Development provide an innovative
1435 plan, design, and Development that are harmonious with
1436 and respect the land use, character, and natural or man-
1437 made features of the subject property and Adjacent
1438 property, and promote quality design and environmentally
1439 sensitive development by taking advantage of special site
1440 characteristics, locations and land uses, and
- 1441 d. there are sufficient existing infrastructure, services, and
1442 utilities available to the site prior to Development.
- 1443 3. Without limitation to Section 8.5.21.B.2 above, approval of
1444 Rezoning of property to a PUD District, Zoning Text
1445 Amendment application related to a PUD, or a Master PUD
1446 Development Plan are subject to the Planning Commission's
1447 and the City Council's first making formal, written findings
1448 regarding each of the items listed in Section 8.5.21.B.2 and that
1449 the proposed Development, such applications, and approvals:
- 1450 a. conform to all applicable standards and requirements of
1451 this Ordinance,
- 1452 b. would be compatible with other Development permitted
1453 under all applicable provisions of this Ordinance;
- 1454 c. will not significantly interfere with the use and enjoyment
1455 of other land in the vicinity;
- 1456 d. adequately conserve woodland and the protect water
1457 courses from erosion and siltation;
- 1458 e. maximize safety, convenience, and amenities for the
1459 residents and visitors of the Development; and

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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

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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.

The Planning Commission and the City Council may consider different types of PUDs (PUD-R and PUD-~~COMUM~~FMU) 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.

*Corrects reference to Mixed Use
PUD abbreviation*

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.

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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

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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~~

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~~Development Plan under Section 8.5.21.J and submission of a
Final Master PUD Development Plan under Section 8.5.21.O.~~

I.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.

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- 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.~~

4. The Development Review Committee shall review the preliminary Master PUD Development Plan or amendment to

Clarifies DRC process for PUDs

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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.

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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~~

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~~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

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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

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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.

E.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

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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:
 - 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;

The 2022 text includes a blank hanging paragraph 2; it is removed and subsequent sections renumbered

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- 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~~

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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

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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;

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- 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.

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- ~~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.~~

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~~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:~~

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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~~

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~~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 ~~sent 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.~~

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2096 **V.S. City Council Action.**

2097 1. In the event that the Planning Commission disapproves any
2098 Final Master PUD Development Plan or amendment to Final
2099 Master PUD Development Plan, such action shall be reviewed
2100 by the City Council.

2101 2. The Council shall consider the report submitted by City
2102 Planning Commission and such other information as it may
2103 require in order to determine whether such Final Master PUD
2104 Development Plan or amendment to Final Master PUD
2105 Development Plan in its view meets the test of substantial
2106 compliance and complies with other standards of review herein
2107 established.

2108 3. Should the City Council uphold the Planning Commission's
2109 disapproval of the Final Master PUD Development Plan or
2110 amendment to Final Master PUD Development Plan, it shall
2111 notify the landholder that the action approving the
2112 reclassification of such property as contained in the Final
2113 Master PUD Development Plan or amendment to Final Master
2114 PUD Development Plan shall be disapproved.

2115 4. Should the City Council determine that the ~~f~~ Final Master PUD
2116 Development Plan or amendment to Final Master PUD
2117 Development Plan does meet the test of substantial
2118 compliance and other requirements for approval, it shall notify
2119 both the landholder and the Planning Commission of its
2120 decision, and the action of the City Council approving the
2121 zoning shall thereby become final.

2122 **W.T. Failure to Begin PUD.**

2123 If no Actual Construction has begun in the PUD within three (3) years
2124 from the date of approval of the final shown on the Preliminary Master
2125 PUD Development Plan or amendment to Preliminary Master PUD
2126 Development Plan , said approval shall be lapse and be of no further
2127 effect and the related Zoning Ordinance Amendment and Rezoning shall
2128 lapse, be of no further effect and be repealed. The Planning Commission
2129 may, upon showing of good cause by the landholder, extend the time for

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~~Deletions are Strikethrough~~

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

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Commission prior to the continuance of Development or construction.

8.5.21.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.~~ZW~~.

8.5.21.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.

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Additions are Underlined
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2. Any such proposed modification that is not permitted under Sections 8.5.21.~~2.3-4~~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.
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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 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.
- 2231
- 2232
4. For any modification to an approved Final Master PUD Development Plan or amendment to Final Master PUD

Allows the CMPC to direct staff to approve minor changes to a Final PUD

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- 2233 Development Plan other than minor modifications authorized
2234 by Section 8.5.21. WZ.3, such modification shall be subject to
2235 satisfactory proof by the applicant and written findings by the
2236 Planning Commission and City Council as follows and approval
2237 as an amendment to the approved Final Master PUD
2238 Development Plan or amendment to Final Master PUD
2239 Development Plan.
- 2240 a. The modification shall be limited to the minimum
2241 necessary;
- 2242 b. Strict application of the provisions of the approved Final
2243 Master PUD Development Plan or amendment to Final
2244 Master PUD Development Plan would result in practical
2245 difficulties or unnecessary hardship;
- 2246 c. There are exceptional or extraordinary circumstances or
2247 conditions applying to the land, Buildings, Structures or
2248 Uses referred to in the request for modification, which
2249 circumstances or conditions do not apply generally to
2250 other land, Buildings, Structures or uses in the same type
2251 of PUD District.
- 2252 d. The requested modification will not be detrimental to the
2253 public welfare or injurious to property or improvements in
2254 the neighborhood of the premises.
- 2255 e. Under the circumstances of the particular case, the
2256 requested modification will not adversely affect the health
2257 or safety of persons working or residing in the
2258 neighborhood of the premises.
- 2259 f. The requested modification is consistent the intent and
2260 purpose of this Ordinance, the Comprehensive Plan, and
2261 the approved Final Master PUD Development Plan or
2262 amendment to Final Master PUD Development Plan and
2263 will not adversely affect the community objectives of the
2264 Comprehensive Plan.
- 2265 g. The requested modification will not result in any reduction
2266 of required Buffer areas or other specific open spaces
2267 required by this Ordinance and will not vary any District or

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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.

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Additions are Underlined
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- 2303 c. A Building or Structure that is completely or substantially
2304 destroyed may be reconstructed only in compliance with
2305 the approved Final Master PUD Development Plan or
2306 amendment to Final Master PUD Development Plan unless
2307 an amendment to the approved Final Master PUD
2308 Development Plan or amendment to Final Master PUD
2309 Development Plan is approved as set forth below.

2310 4.3. All other changes in the approved Final Master PUD
2311 Development Plan or amendment to Final Master PUD
2312 Development Plan may be approved only by the City Council
2313 under the procedures authorized by this Ordinance for
2314 Rezoning, Zoning Ordinance Amendment, and Master PUD
2315 Development Plan approval.

2316 5.4. Notwithstanding any other provision of this Section 8.5.21.AA,
2317 no changes may be made to the approved Final Master PUD
2318 Development Plan or amendment to Final Master PUD
2319 Development Plan unless such changes are required for the
2320 continued successful functioning of the PUD or are required by
2321 changes in conditions that have occurred since the Final
2322 Master PUD Development Plan or amendment to Final Master
2323 PUD Development Plan was approved or by changes in the
2324 development policy of the community.

2325 6.5. No changes in the approved Final Master PUD Development
2326 Plan or amendment to Final Master PUD Development Plan
2327 that are approved under this Section are to be considered as a
2328 waiver of the covenants limiting the use of land, Buildings,
2329 Structures and Improvements within the area of the PUD and
2330 all rights to enforce these covenants against any changes
2331 permitted by this Section are expressly reserved.

AB. Re-Subdivision of PUD After Completion.

2332
2333 A completed PUD may be subdivided and re-subdivided for purpose of
2334 sale or lease ~~after the Certificate of Completion has been issued under~~
2335 ~~the procedures set forth below;~~subject to the following:

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Additions are Underlined
~~Deletions are Strikethrough~~

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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

- 2347
- 2348
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- 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.**



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 ~~striketrough~~ 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.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: 1ST CONSIDERATION ON ORDINANCE NO. 4516 -AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING BUILDING, LOT AND BUILDING SITE STANDARDS IN ARTICLE 4 BY REPEALING SUCH ARTICLE AND REPLACING SUCH ARTICLE 4 WITH A NEW ARTICLE 4 BUILDING, LOT AND BUILDING SITE STANDARDS

RECOMMENDATION: Approve Ordinance 4516 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 4: Building, Lot, and Building Site Standards, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance 4516, Exhibit A, Exhibit B, Marked Changes "A", Marked Changes "B", DS Staff Report.

**AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING
THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE
REGARDING BUILDING, LOT AND BUILDING SITE STANDARDS IN
ARTICLE 4 BY REPEALING SUCH ARTICLE AND REPLACING SUCH
ARTICLE 4 WITH A NEW ARTICLE 4 BUILDING, LOT AND BUILDING SITE
STANDARDS**

WHEREAS, Section §13-7-201 of the Tennessee Code Annotated empowers the city to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals and general welfare of the city to enact such an ordinance; and

WHEREAS, the City Council, pursuant to the provisions of Section §13-4-101 of the Tennessee Code Annotated has appointed a Planning Commission to recommend the appropriate regulations to be enforced therein; and

WHEREAS, on the 5th day of June 2024, the Planning Commission reviewed and recommended specific changes in accordance to Section 8.5.18, to the Zoning Ordinance regarding Building, Lot and Building Site Standards in Article 4. As a result, Article 4 is being repealed in its entirety and replaced with a new Article 4 which is attached hereto as Exhibit "A" and Exhibit "B" incorporated herein by reference. Said recommendations are being considered after a public hearing held on the 8th day of August, 2024, notice of which was published in the Daily Herald of Columbia fifteen (15) days or more prior to said meeting; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That Ordinance Number 4400, the same being the Zoning Ordinance of the City of Columbia, Tennessee is hereby amended by repealing Article 4 in its entirety and replacing such Article with a new Article 4, Building, Lot, and Building Site

Standards which is attached hereto as Exhibit “A” and Exhibit “B” incorporated herein by reference;

Section 2: That the City Council satisfies the requirements of Section 8.5.18.J.4, by making specific findings as to the following:

- 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.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this the 12th day of September, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY -- CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration: _____

ARTICLE 4:

BUILDING, LOT & BUILDING SITE STANDARDS

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.

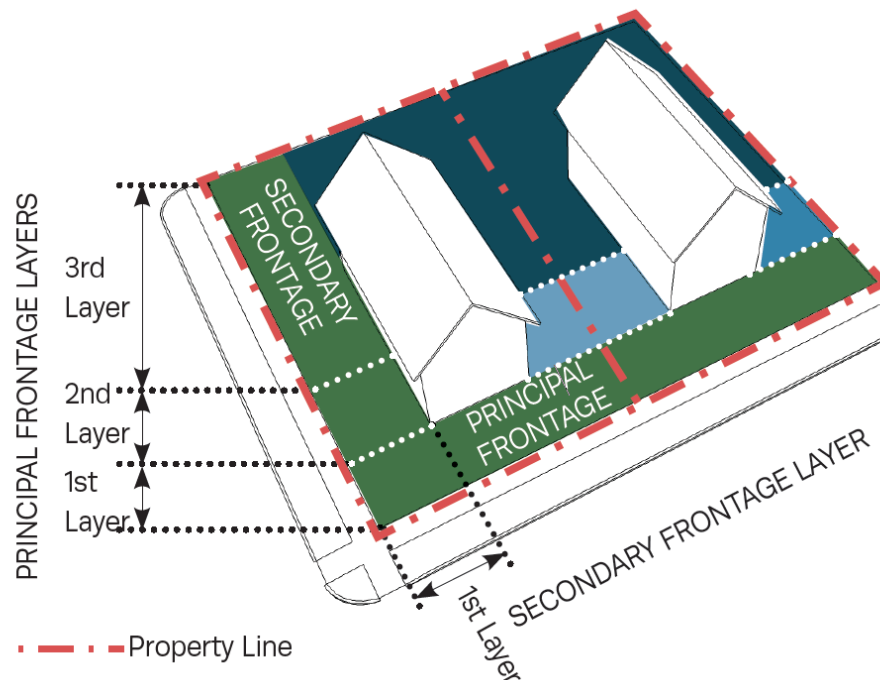
See Table 4.3.1 in Exhibit B

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(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, Structures and Uses on a Lot or Building Site, as set forth in Tables 4.3.1-A - 4.3.1-U (District Standards).
3. For Lots and Building Sites, which have both a Principal Frontage and Secondary Frontage(s), typically Corner Lots:
 - a. Standards and prescriptions for the First Layer apply to the First Layer as related to 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 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.

ILLUSTRATION 4.3.3.A (LAYERS)



ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

B. Dimensions

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, 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)**.

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.

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 about 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.).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

Example: if Lot is 95 ft. deep, the required Rear Yard may be reduced by five feet (5 ft.) [100 ft. – 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 law requiring liability for negligent or willful acts and omissions.
9. 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

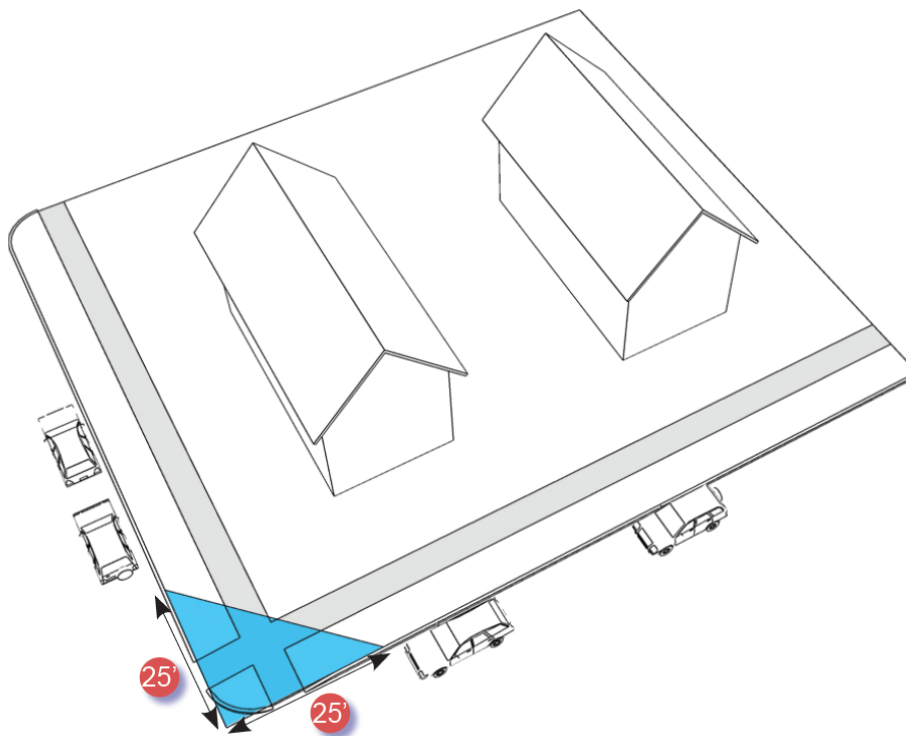
ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

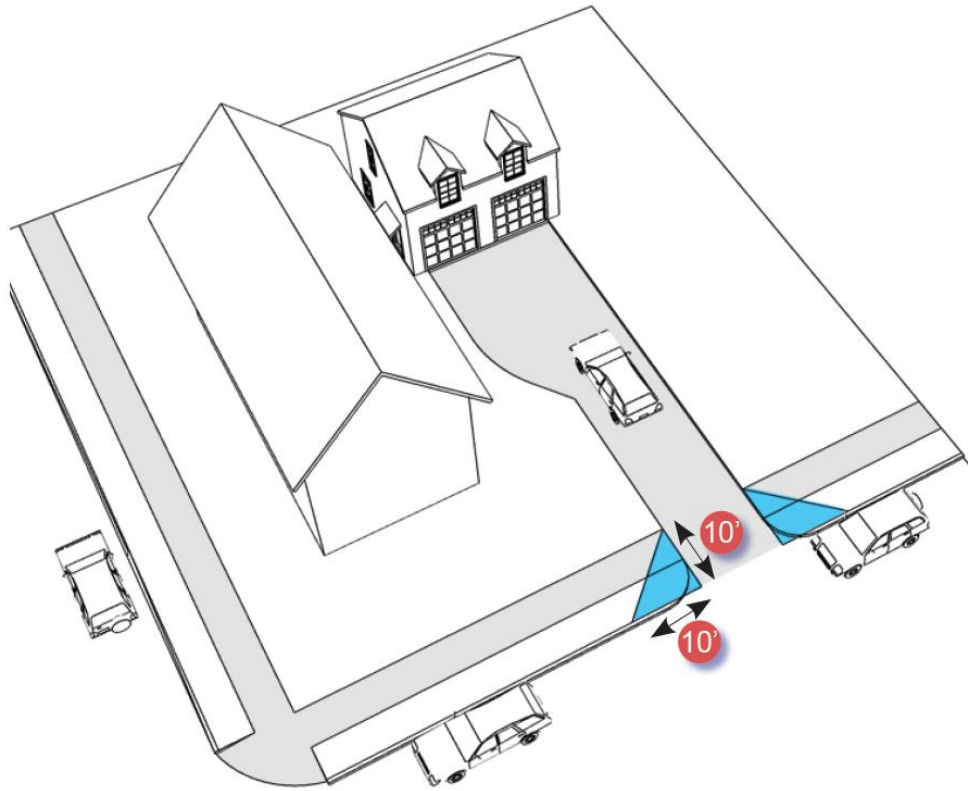
ILLUSTRATION 4.3.3.G.1 (SIGHT TRIANGLE - CORNER)



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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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

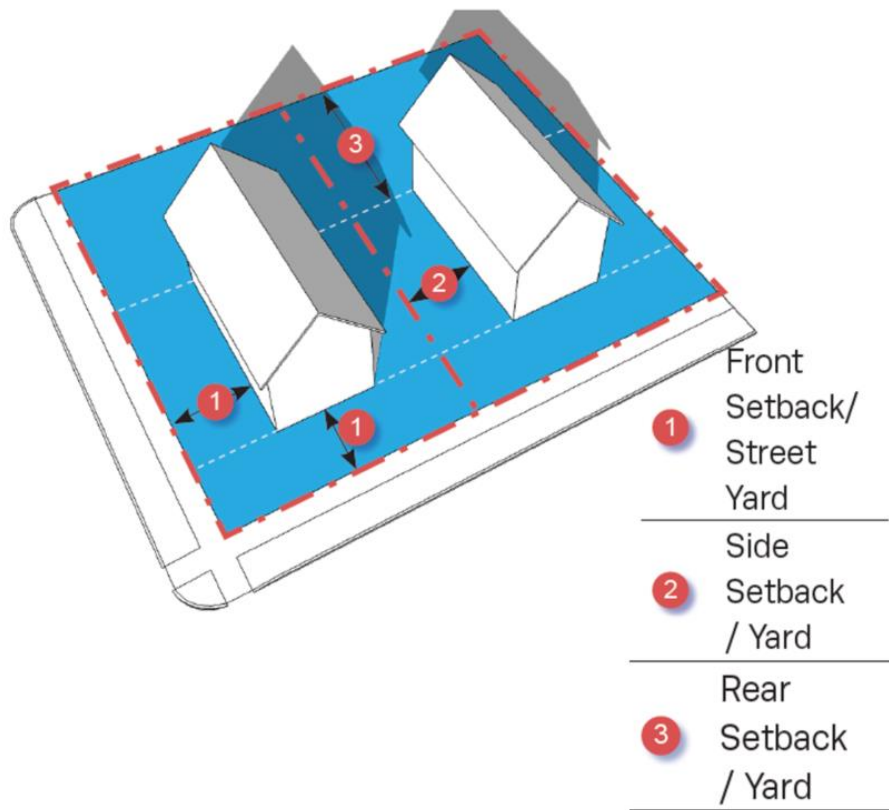
A. Building Placement.

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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

granted by Administrative Adjustment by the Zoning Administrator.

ILLUSTRATION 4.3.4.A SETBACK /YARD DESIGNATIONS



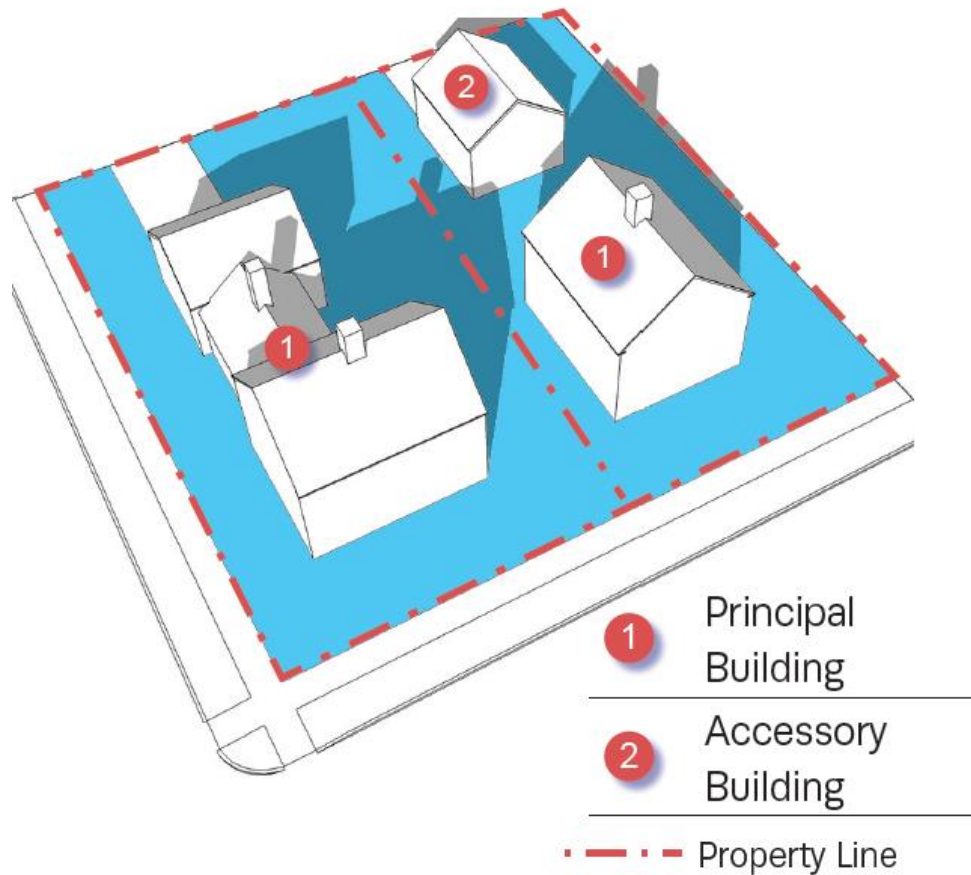
B. Principal Buildings

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).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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;

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

- 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 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.

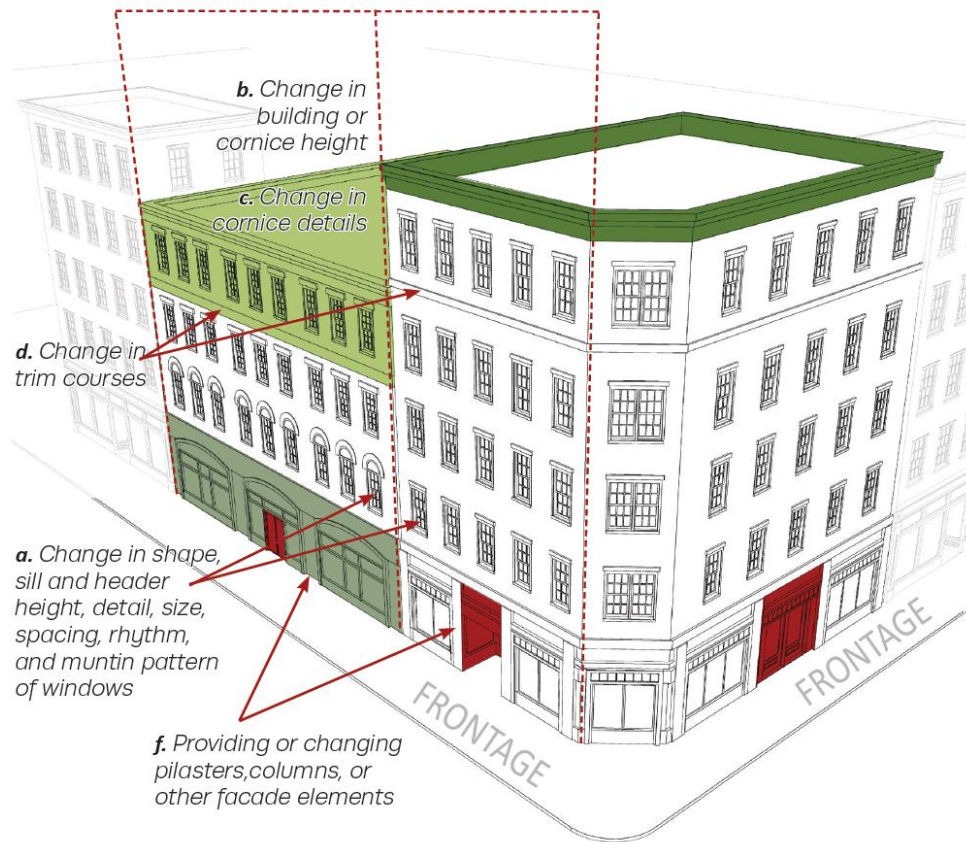
4.3.5 Building Standards

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. 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.
- 3. Principal Building Facades shall be articulated as shown in (See **Illustration 4.3.5.A-3**).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

ILLUSTRATION 4.3.5.A-3 (FACADE ARTICULATION)



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)**.

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.

ILLUSTRATION 4.3.5.D-1 (ROOF TYPES)

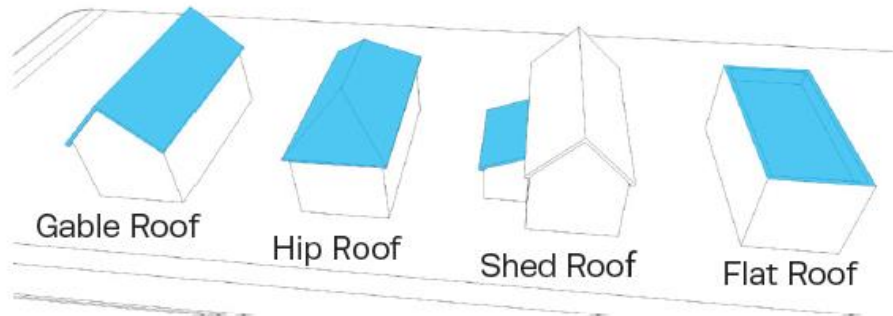
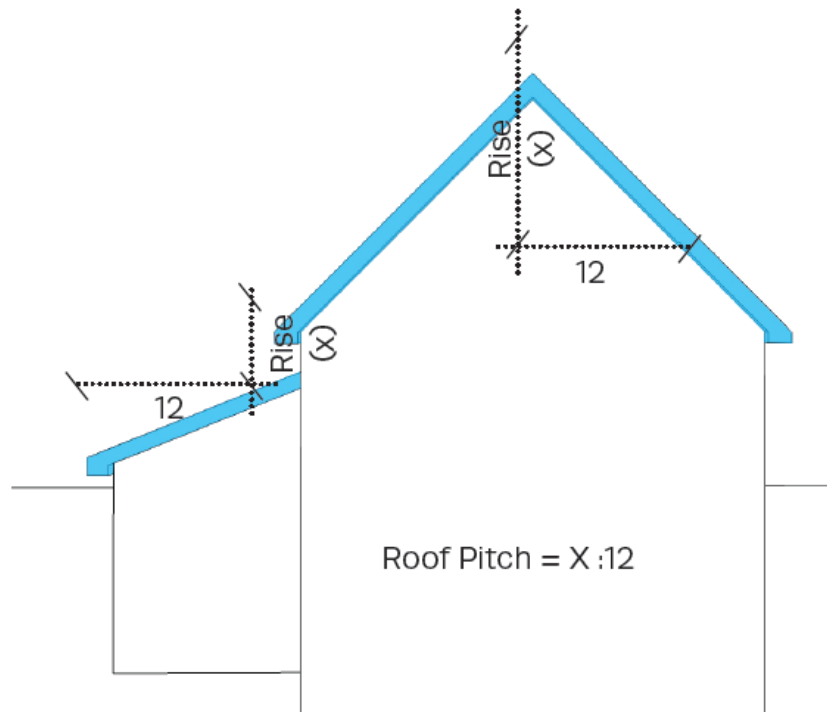


ILLUSTRATION 4.3.5.D-2 (ROOF PITCH)



4.3.6 Fences & Walls

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;

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 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.
- 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
3. 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.
 4. 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

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 4.3.7B (Private Frontage Types), and **Tables 4.3.1-A - 4.3.1-U (District Standards)**.

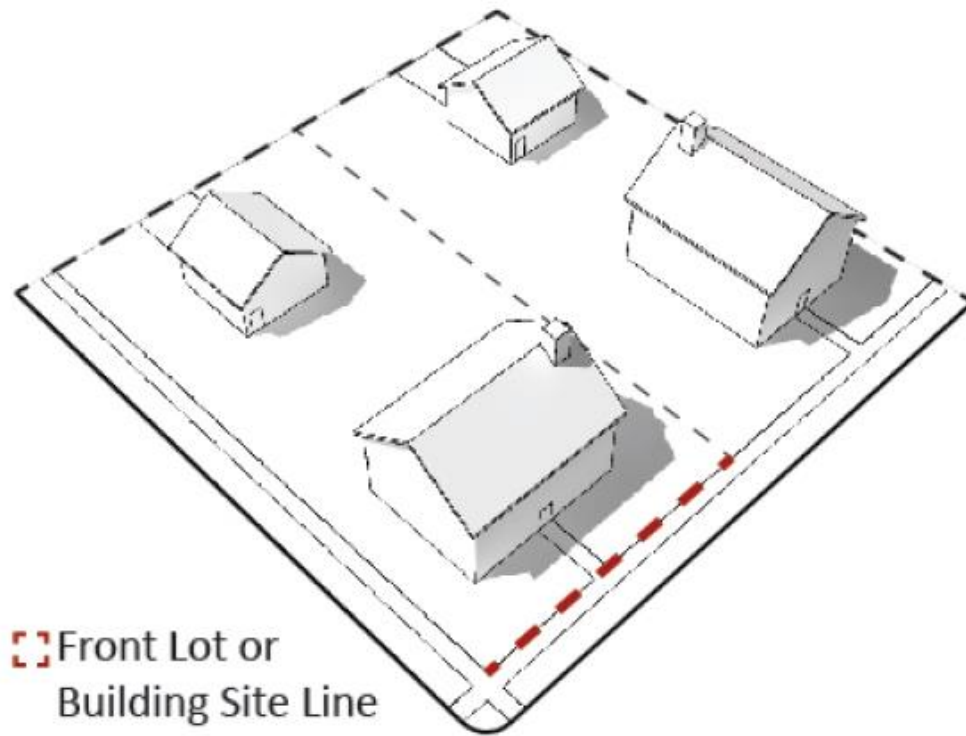
B. Private Frontage – Corner Lots / Building Sites.

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)**.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

ILLUSTRATION 4.3.7.B-2 (FRONTAGE & LOT / BUILDING SITE LINES)



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)**. The mix of Building Types on each Development Parcel is further regulated under Section 5.1.10.

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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

	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-byside 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

	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 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 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-2 CD-3L CD-3 CD-4 CD-4C CD-5 CD-5C PUD-R PUD-MU CV

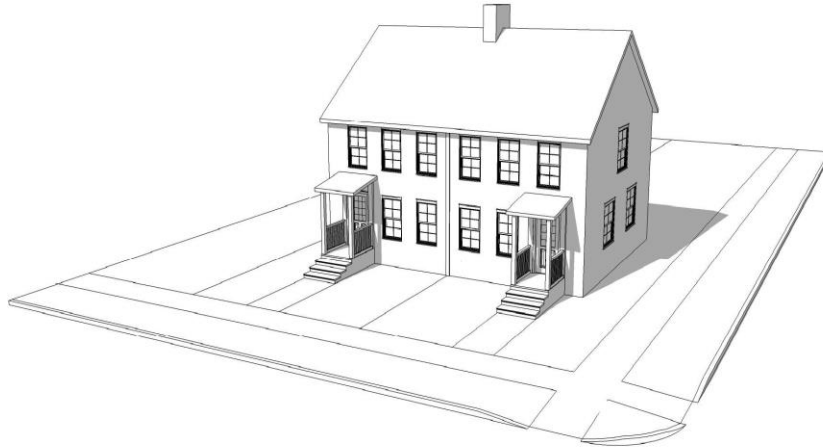
ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES

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 back-yard. 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 SD-LI PUD-R
PU-MU

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-4 CD-4C CD-5 CD-5C SD-LI PUD-R
PU-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/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-4 CD-4C CD-5 CD-5C SD-INT SD-LI
PUD-R PU-MU

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-4 CD-4C CD-5 CD-5C PUD-R
PU-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 & Massing

Height

Per district height standards

Width

18 ft min – 36 ft max

Pedestrian Access

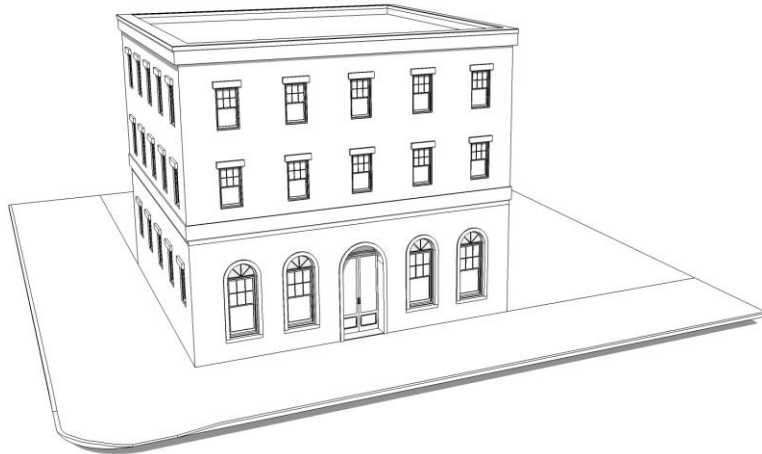
Main Entrance	Principal frontage
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Vehicle Access & Parking

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-4 CD-4C CD-5 CD-5C SD-INT
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 & Massing

Height

Per district height standards

Width

Per district lot/building site width and side setback/ yard standards

Pedestrian Access

Main Entrance	Principal Frontage
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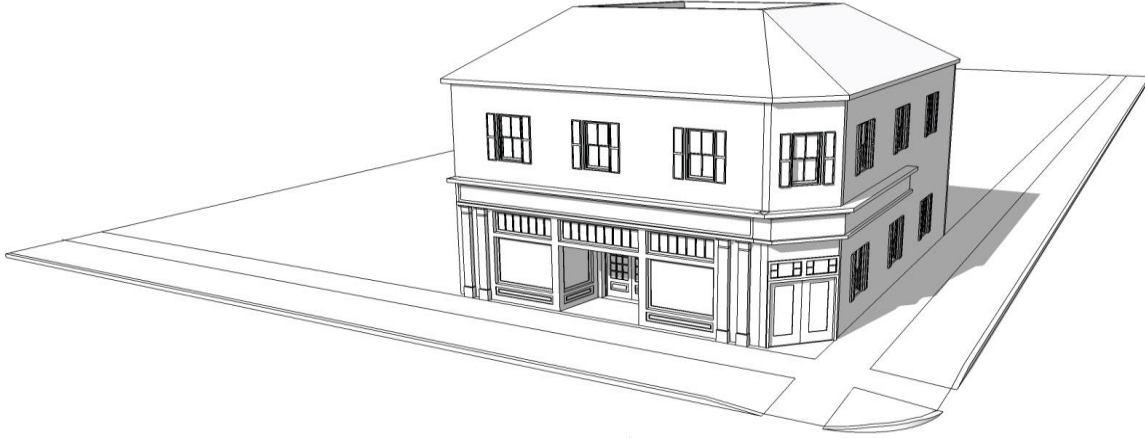
Vehicle Access & Parking

Parking may be accessed from an Alley, a Thoroughfare, or internal drive at frontage

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

MIXED-USE

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-4 CD-4C CD-5 CD-5C 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 Principal Uses
--------------------	---

Allowed Private Frontages

Scoop	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
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Upper floor	Principal or secondary
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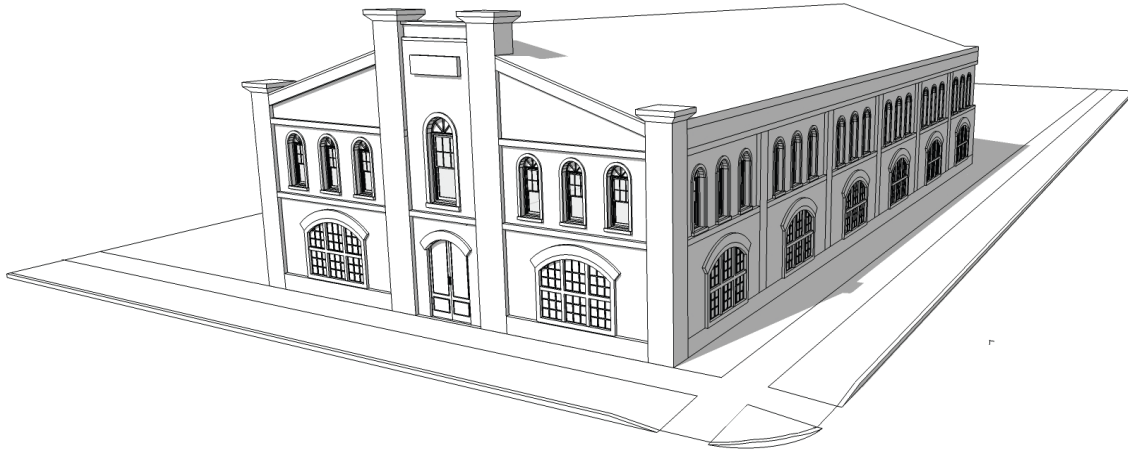
Upper floors must be accessed by a common entry

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-4 CD-4C CD-5 CD-5C SD-INT SD-LI SD-HI 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

Scoop	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

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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

MID-RISE

TABLE 4.3.8.B PRINCIPAL BUILDING TYPES
SPECIFIC STANDARDS



Permitted Districts

CD-5 CD-5C SD-LI PUD-MU

General Description

An attached or detached building that may provide a vertical and/or horizontal mix of uses 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 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

*Only used in conjunction with Shopfront or Officefront type

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

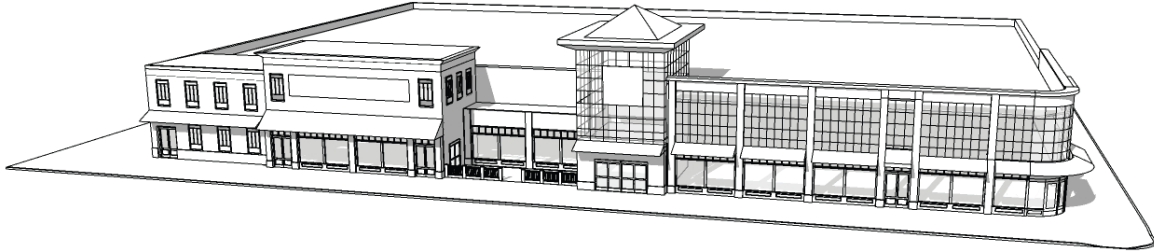
Vehicle Access & Parking

Parking may be accessed from an alley, thoroughfare, or drive at frontage

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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/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

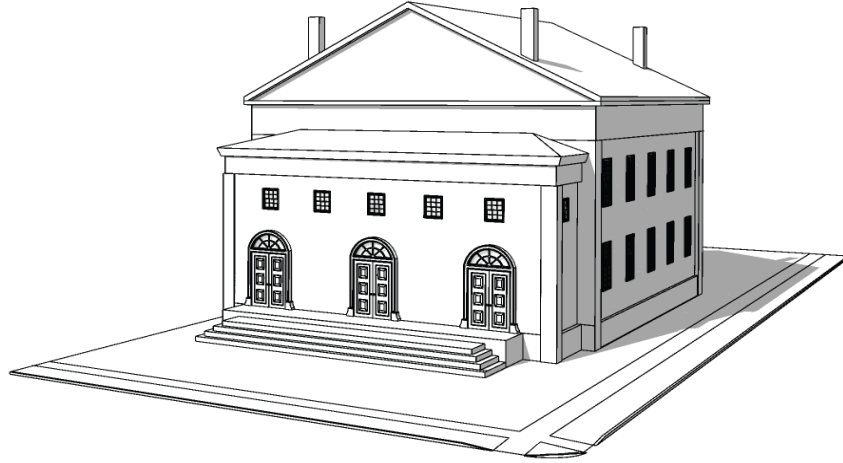
Ground floors	Principal frontage
Upper floors	Principal or secondary frontage

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-2 CD-3L CD-3 CD-4 CD-4C CD-5 CD-5C
SD-LI SD-HI SD-INT 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 & 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 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)**.
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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

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 -Town-houses	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	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	NP	PL	PL	NP

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
Building Type permitted in District														
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 Play-ground	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
Water Conservation Area	P	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
Business, trade, or vocational school, other than Truck Driving School	NP	NP	NP	P	P	P	P	NP	P	P	NP	NP	P	NP

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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, Hand-gun, or Skeet Shooting	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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, 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	NP
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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	NP	NP	NP	PL	PL	PL	PL	NP	PL	PL	PL	NP	NP	NP

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
Cleaning, other than Car Wash														
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
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,	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP	NP
Other Wholesale Sales Uses Not Listed Under any Use Category	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP	NP

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 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
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	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL CU	NP	NP	NP

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
Storage of Chemicals, Petroleum Products, Explosives, and Allied Products														
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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
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	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	NP

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
manufacturing, but excluding Artisan Establishments														
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 non-flammable 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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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 or 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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
Adult - Oriented Establish- ment	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	NP

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.

1. Commercial Corridors

2. 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.

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.

- 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 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.

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.E in addition to Conditional Use approval and issuance of a Conditional Use permit pursuant to Article 8 (Administration, Procedures & Enforcement).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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. **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.
 - (6) The Accessory Dwelling must share ownership and utility connections with the primary dwelling.
 - b. **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.

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- (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.
- c. **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:
 - (5) Barns, feed Lot or Building Sites, pens, and stockyards may be permitted in accordance with the applicable Use Table, subject to the following:
 - (6) Barns, feed Lot or Building Sites, pens and stockyards shall require a minimum separation of 200 feet from all property lines.
 - (7) The location of such an activity shall be in an area sparsely developed during the length of time the Use as a stockyard or feed Lot or Building Site is anticipated;
 - (8) 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.
 - (9) 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.
- d. **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.

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- (5) Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.
- e. **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) Within the CD-2, CD-3L, and CD-3 District no more than three (3) Duplex Buildings (each Duplex Building containing two Dwellings) may be located on any Block Face.
 - (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:
 - (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.
- f. **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.

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- g. **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.
- h. **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**.
- i. **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.
- j. **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.
 - (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.

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- (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.
- k. **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.
- l. **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.

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- (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, 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.

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;

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;

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.

- m. **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

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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.

n. **Food Truck Courts** shall be permitted as a Principal Use on any Lot or Building Site in accordance with Table 4.3.9.A-1, subject to the following:

- (1) Approval of a Development Plan pursuant to Section 8.5.6. As part of the Development Plan application, the Zoning Administrator shall review the items listed below and may request review by other City of Columbia officials.
- (2) Each Food Truck operating within a Food Truck Court must hold a current Mobile Vending permit from the City of Columbia.
- (3) A designated manager must be responsible for the orderly organization of the site, the cleanliness of the site, and compliance with all City of Columbia regulations.
- (4) The Food Truck Court must be kept clear of litter and debris at all times.
- (5) Waste receptacles must be provided on site during all hours of operation.
- (6) At least 30 percent of the lot or building site area must be shared common area not utilized for Food Truck stalls or parking.
- (7) The common area shall be designed for customer use and must include designated seating for patrons.
- (8) Electrical service must be provided on-site.
- (9) Food Truck Courts on lots or building sites greater than or equal to 0.50 acres in area must provide on-site accessible restroom facilities available for both customers and employees within a permanent structure.
- (10) Food Truck Courts on lots or building sites less than 0.50 acres in area must either provide
 - (a) on-site accessible restroom facilities; or
 - (b) a written agreement granting use of restrooms within 300 feet of the Food Truck Court for customers and employees during hours of operation.
- (11) Temporary or portable toilet facilities are not permitted.
- (12) Each Food Truck shall occupy a designated Food Truck Stall.
- (13) Food Truck stalls shall conform to the dimensional standards of a parallel parking stall in Table 4.3.12.C-1 and to the off-street parking surface requirements of the applicable Character District or Special District.
- (14) There shall be at least ten feet of unobstructed clearance between each Food Truck.

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- (15) Food, drink, and other merchandise must be sold directly from Food Trucks or other Mobile Vending Apparatuses.
- (16) Except in Character District CD-5, the sale of alcohol in a Food Truck Court is prohibited.
- (17) Food Truck Courts with more than five Food Truck stalls must utilize a single point of sale system associated with a business entity with a situs and current business license and in the City of Columbia.
- (18) Required parking shall be provided
 - (a) as described at § 4.3.12.B.3;
 - (b) on another lot or building site within 1,320 feet of the Food Truck Court by parking agreement or easement, provided the principal use on the shared site shall maintain minimum required parking;
 - (c) On street space within 1,320 feet of the Food Truck Court; or
 - (d) a combination of a -c above.
- (19) The Food Truck Court operator shall provide a detailed operating plan which includes:
 - (a) The maximum number of Food Trucks that can operate on the site at one time;
 - (b) A copy of the rules of operation to which Food Trucks operating on the site must adhere;
 - (c) A plan for the appropriate disposal of fats, oils, and grease which prevents release into the city sanitary sewer;
 - (d) Hours of operation of the Food Truck Court;
 - (e) Contact information for the designated manager;
 - (f) An explanation of how required parking will be provided; and
 - (g) An explanation of how required restroom facilities will be provided.
- (20) The Food Truck Court operator shall provide a plot or building site plan which depicts:
 - (a) The exact location of each Food Truck stall;
 - (b) The location of all permanent structures on the property;
 - (c) Access, ingress, egress, and interior vehicular and pedestrian circulation;
 - (d) The location of any on-site parking;
 - (e) The location of landscaping;
 - (f) The location of all seating areas, trash receptacles and other movable and permanent physical elements of the Food Truck Court; and

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- (g) All other information deemed necessary by the Zoning Administrator.
- o. **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;
 - (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.
- p. **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.
- q. **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:

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- (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.
- r. **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.
- s. **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.

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- (6) Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.
- t. **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.
- u. **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.
- v. **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.
- w. **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 seven to 12 individuals shall have 24-hour staff and professional services in the behavioral sciences available.

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- (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;

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- (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 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.
- x. **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.
- y. **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 Fire safety 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.

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- (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 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.
- z. **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.
 - (a) In addition to the landscaping requirements in Sections 4.3.11 and 4.3.16, the following

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landscaping shall be provided within any Front (Street) Yard:

- (b) An evergreen hedge which is at least 24 inches in height; or
 - (c) Plantings which meet the requirements for plantings under Section 4.3.9.D.6.y(5).
- (3) 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.
- aa. **Mobile Vending** shall be permitted in accordance with TABLE 4.3.9.A-3, subject to the following:
- (1) Issuance of a Temporary Use Permit pursuant to Section 8.5.9.
 - (2) All Mobile Vending shall be subject to the following requirements and limitations:
 - (a) Access, ingress, egress, and interior vehicular or pedestrian circulation at the vending location shall not be impeded.
 - (b) Mobile vendors may not obstruct corner or driveway sight triangles depicted in Tables 4.3.3.G.1 and 4.3.3.G.2.
 - (c) The primary use on site shall maintain an adequate parking supply.
 - (d) upon request of the Zoning Administrator or the Columbia Police Department the Mobile Vendor shall provide a written and signed agreement from the property owner, or owner's authorized agent, granting permission for the temporary use of the property, which shall include a provision for the usage of onsite 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 on a hard surface conforming to Section 4.3.12.C-7 or on properties with existing non-conforming parking areas with an approved driveway entrance.
 - (h) With the exception of Food Trucks, mobile vendors shall not remain on a single site for more than four (4) consecutive days.
 - (i) Food Trucks and shall remain movable at all times and may not be permanently secured to the site; upon request of the Zoning Administrator, each operator of a Food Truck must show current registration to operate the apparatus on public roads and demonstrate that the apparatus is movable.

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- (j) Mobile vendors must dispose of fats, oils, and grease appropriately and may not connect to city sanitary sewer.
 - (k) Any Mobile Vendor serving alcohol must be licensed by the Tennessee Alcoholic Beverage Commission and must comply with all regulations related to the sale of alcohol. Restroom facilities required for employees.
 - (l) Mobile Vendors operating at a location for a duration of more than four hours must have a written agreement, available upon request by the Zoning Administrator or the City of Columbia Police Department, that permits employees to have access to a restroom no more than 300 feet from the vending location during all the hours of operation.
- (3) Within Character District CD-5, Food Trucks and Pushcarts may be permitted to set up for service or to conduct business in the public right of way under the following criteria:
- (a) Mobile Vending locations shall be limited to street segments designated as appropriate for Mobile Vending by the Zoning Administrator; the Zoning Administrator shall create a map of street segments designated for mobile vending at least quarterly; Mobile Vendors who set up for service in the right of way must verify allowable vending locations;
 - (b) Hours of operation shall be limited to 7:00 am to 10:00 pm;
 - (c) Only one parking space shall be occupied;
 - (d) Such Food Truck shall be removed from the parking space each day; no Food Truck may remain in the public rights of way for more than six (6) consecutive hours;
 - (e) Mobile Vendors shall not reserve, obstruct, or otherwise limit the use of parking spaces while not actually occupying the space;
 - (f) The Zoning Administrator, the Department of Public Works, or the City of Columbia Police Department may direct the Mobile Vendor to vacate the right of way at any time, the Mobile Vendor must immediately comply with directions to leave a parking space;
 - (g) The mobile vendor shall clearly identify the mobile vending area with traffic cones or similar device.
- (4) Within CIVIC Districts, Food Trucks may be permitted to set up for service or to conduct business under the following criteria:
- (a) The Mobile Vendor holds a current Mobile Vending Permit
 - (b) The City of Columbia, or a person or organization that has entered into a use agreement with the City of Columbia, has invited the Mobile Vendor to cater a community event;
 - (c) The serving window of the Food Truck must face away from any right of way; and

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- (d) The mobile vendor shall clearly identify the mobile vending area with traffic cones or similar device.
 - (5) Except as set forth in Section 4.3.9.D.6.x(3) 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 and Canteen Truck operations, shall not be permitted to set up for service or to conduct business on any public right-of-Way.
 - (6) 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(5), 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.
 - (7) A canteen truck with a current mobile food vending permit may operate on private property or from the right of way adjacent to a construction site with an active building permit in order to cater to on-site workers: between the hours of 6:00 a.m. and 6:00 p.m. on week days; a Canteen Truck may not remain on any one site for more than one (1) hour each day; the serving window of the Canteen Truck must face private property.
 - (8) An Ice Cream Truck with a current mobile food vending permit may operate on private property or from the right of way; an Ice Cream Truck may not remain at any one location for more than 15 minutes before relocating to another location not less than one-quarter mile from the previous location; the serving window of the Ice Cream Truck must face private property.
 - (9) The Zoning Administrator may revoke the annual temporary use permit found to be in violation of any provision of this Ordinance.
- bb. 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.
 - (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;

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- (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.

aa. **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.
 - (c) The provisions of Section 4.3.9.D.6.a shall not apply.

ab. **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.

ac. **On-Street Vending** shall be permitted in accordance with the applicable Use Table, subject to the following:

- (2) Issuance of a Temporary Use Permit pursuant to Section 8.5.9.

ad. **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.

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- (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.
- (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.

ae. **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.

af. **Outdoor Storage**, where permitted by this Ordinance, shall be located 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.

ag. **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 continuous evergreen hedgerow of at least 24 inches and fence no more than 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.
- (3) Compliance with all other applicable provisions of this Code related to Parking Lots.

ah. **Self-Service Storage Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:

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- (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.
- ai. **Short-Term Rental Units** shall be permitted in accordance 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 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.
- aj. **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.
- ak. **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.

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al. **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.

am. **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.

an. **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 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;

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- (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 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

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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.

ao. **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.
- (4) A spill prevention and countermeasures plan shall be provided prior to construction plan approval that includes, at a minimum:

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- (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.

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.

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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.

TABLE 4.3.9.A-2 BUILDING, LOT & BUILDING SITE ACCESSORY USES

PRINCIPAL USE	CD-2	CD-3 L	CD-3	CD-4	CD-4C	CD-5	CD - 5C	SD-1MHP	SD-1NT	SD-1I	SD-1H	PUD - R	PUD-MU	CV
Accessory Building	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory Dwelling Unit	PL	PL	PL	PL	PL	PL	PL	NP	PL	PL	NP	NP	PL	PL
Accessory Garden Center	NP	NP	NP	NP	P	NP	P	NP	P	P	NP	NP	NP	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	P
Dormitory on Site with Educational Institution	NP	NP	NP	P	P	P	P	P	P	P	NP	NP	NP	P
Hazardous Materials Storage	NP	NP	NP	NP	NP	NP	NP	NP	CU	CU	CU	NP	NP	NP
Home Occupations	P	P	P	P	P	P	P	P	P	P	NP	P	P	NP
Child Care for 4 or fewer In Home	P	P	P	P	P	P	P	P	NP	P	NP	P	P	NP
Outdoor Storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP
Parking Area	P	P	P	P	P	P	P	P	P	P	P	P	P	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	P
Retail Sales Accessory to Light Manufacturing or Warehouse	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP

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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	NP
Outdoor Display	NP	NP	NP	PL	PL	PL	PL	PL	PL	PL	NP	NP	PL	PL
School on site with Place of Worship	P	P	P	P	P	P	P	P	P	P	NP	P	NP	P
Seminary on site with Place of Worship	P	P	P	P	P	P	P	P	P	P	NP	P	NP	P
Solar Panels	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Sports Court, Swimming Pool, Hot Tub in 3rdLayer	P	P	P	P	P	P	P	P	P	P	NP	P	NP	NP
Tasting Room on site with Brewery, Distillery, Winery	NP	NP	NP	P	P	P	P	P	P	P	P	NP	NP	NP
Telecommunications Receiving Equipment	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Telecommunications Facility	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU

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

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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.

TABLE 4.3.9.A-3 BUILDING, LOT & BUILDING SITE TEMPORARY USES

PRINCIPAL 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	CV
Trailers in Third Layer for Storage of Goods Associated with Commercial Principal Use, for up to 6 months with possible extension to 12 months	NP	NP	NP	CU	CU	CU	CU	CU	CU	CU	CU	NP	CU	NP
Seasonal Uses or Uses for Un-usual Non- Recurrent Events, for no more than 30 days	P	P	P	P	P	P	P	P	P	P	P	P	P	P
New Subdivision Sales & Management Office, until development completion	P	P	P	P	P	P	P	P	NP	P	P	P	P	NP
Construction Office Trailer	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Mobile Vending	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL

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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**.

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 ≤ 25% Setback/Yard	P	P
Patios, in permitted applicable Layer	NP	P	P
Decks, in permitted applicable Layer	NP	P ≤ 25% Setback/Yard	P ≤ 25% Setback/Yard
Openwork Fire Escapes & Fire Balconies	NP	P ≤ 6 ft.	P ≤ 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
Driveways & Sidewalks	P	P	P
Retaining walls	P ≤ 3 ft. in height	P ≤ 4 ft. in height	P ≤ 6 ft. in height
Awnings or canopies w/out support other than integral or wall support	P ≤ 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" or 20% of setback / Yard	P ≤ greater of 24" or 20% of Setback /Yard
Flagpoles w/ < 1 structural ground member	P	P	P
Clothes 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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:

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

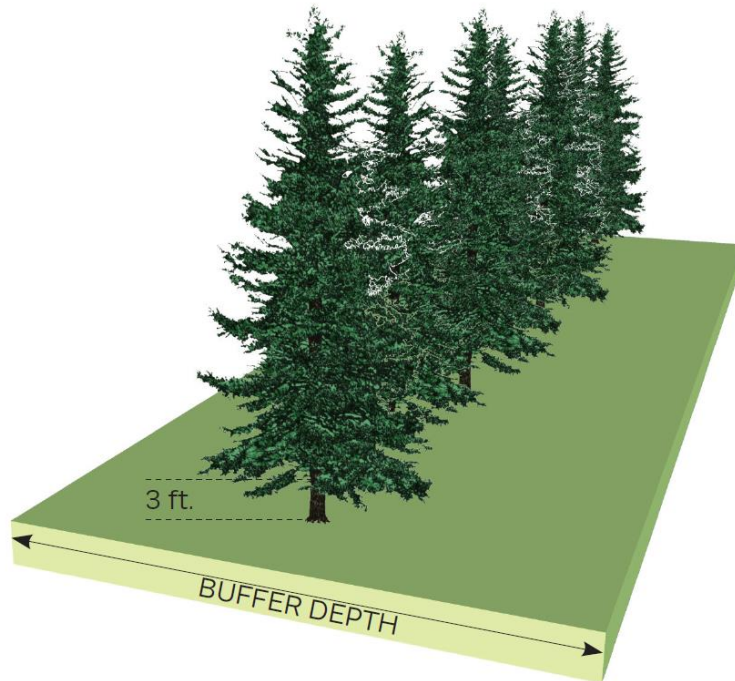
I. Modification

1. The Lot/Building Site/Parcel Buffer requirement at 4.3.11.H. 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
 - (d) site conditions render the required buffer ineffective.
2. The applicant may appeal the Zoning Administrator's determination as described in 8.5.17.

TABLE 4.3.11.H.-1 LOT/BUILDING SITE/PARCEL BUFFER

District of New Dev/Structure	Buffer Depth	Buffer
CD-4	25 ft	Min. 90% opacity 3 ft. from ground and up; Evergreen plants $\geq$ 2.5 in, caliper measured 3 ft. from ground & 8 ft. tall @ installation & 20 ft. tall @ maturity, planted $\leq$ 10 ft. O.C
CD-4C	25 ft.	Same
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).

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

Minimum Number of Spaces of Parking Available PRINCIPAL USE to Lot Per Unit of Measurement	
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 Dwelling	2 per Dwelling Unit, plus 1 per any rented room
Two Family Dwelling	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 grass 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 Useable 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 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
Recreation Facility (Civic)	1 per 200 square feet of activity Usable Floor Area + 1 per 200 square feet of gross swimming water surface

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

	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 50 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
CIVIC USES CATEGORY CONTINUED	
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 Use Category	Not Regulated

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

Minimum Number of Spaces of Parking Available PRINCIPAL USE to Lot Per Unit of Measurement	
CIVIL SUPPORT USES 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	0.50 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
Middle School	1 per Teacher or other staff + 1 per 20 Students
High School	1 per Teacher or other staff + 0.50 per Student seat
Post-Secondary School	

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

College or University	1 per Teacher or other staff + 1 per Student
Community College	1 per Teacher or other staff + 1 per Student
Graduate or Professional School	1 per Teacher or other staff + 1 per Student
Nursing Por Medical School not accessory to a Hos- pital	1 per Teacher or other staff + 1 per Student
Seminary	1 per Teacher or other staff + 1 per Student
Other Educational Use	
Other Educational Use Not Listed in Any Other Cate- gory	1 per Teacher, Instructor, Care Giver or other staff + 1 per 20 Students or Children
INSTITUTIONAL USE CATEGORY	
Health Care	
Clinic	2 per patient rooms
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

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

Minimum Number of Spaces of Parking Available PRINCIPAL USE to Lot Per Unit of Measurement	
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 guest 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
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

Indoor Recreation- Commercial	
Bowling Alley	1 per 500 square feet of total Usable Floor Area
Commercial Indoor Athletic Training Facility	1 per 1,00 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 spaced 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 accommodation
Firing Range, such as a Rifle Range, Archery Range, Handgun Range, or Skeet Shooting	1 per customer firing squad
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 vehicle space
Paintball Park	Per Planning Commission Approval
Outdoor Entertainment Activity, such as Batting Cage, Golf Driving Range, Amusement Park, Miniature Golf Facility	Per Planning Commission Approval
COMMERCIAL USES CONTINUED	
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 Recreational Use – Commercial not listed under any other Use Category	Per Planning Commission Approval
Parking – Commercial	
Parking Lot	Not Regulated
Parking Structure	Not Regulated
Restaurant	

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 without Drive-Through Facility	1 per 300 square feet of total Usable Floor Area
Bars, Taverns, or Nightclub	
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, leasing, or 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
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
Veterinarian Clinic, Animal Hospital, or non-Agricultural Kennel	1 per treatment, procedure, or surgical room + 100 square feet of total 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 5000 square feet of total Usable 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 Boat storage spaces + 2 per Boat ramp + 1 per Boat available for rental + 1 per employee work station + 2 per work day
Motor Vehicle-Related Uses	
All motor vehicle-related uses, other than Gasoline or motor vehicle sales, rental or leasing, motor vehicle maintenance/ cleaning/ repair/ service par sales and tire sales	1 per 500 square feet for 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 Space + 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 space + 1 work bay
Wholesale Sales	
All Wholesales not listed under any other category	1 per 10,00 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

Minimum Number of Spaces of Parking Available PRINCIPAL USE to Lot Per Unit of Measurement	
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
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 Event 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
Clothing 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 Material 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 the premise 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
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
INDUSTRIAL USES CONTINUED	
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 Services	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 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 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 Usable Floor Area, with a minimum of 1 space per 2 employees on premises at one time, but no fewer than 2 spaces
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 + 2 per acre
Recycling Collection	1 per collection container

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 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	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 Usable Floor Area, with a minimum of 1 per employee 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
INDUSTRIAL USES CONTINUED	
Woodworking, including cabinet makers and furniture manufacturing, but excluding Artisan Establishment	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
Other Light Industrial Uses not listed in any other Use Category	1 per 2,000 square feet of Usable Floor Area, with a minimum of 1 per employee on premises at one time, but no fewer than 2 spaces
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 Utility Uses	Not Regulated
OTHER USES CATEGORY	
Adult Entertainment	1 per 2,000 square feet of Usable Floor Area but no fewer than 2 spaces

4. Exemptions

- (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;

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

- (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.
5. The number of spaces of Parking available to a Lot or Building Site may not exceed, 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.
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.
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.

TABLE 4.3.12.B-2 (SHARED PARKING FACTOR)

USE		with		USE	
Residential/ Dwelling	Lodging	Office	Retail/Personal Service/Artisan	Residential/ Dwelling	Lodging
Lodging	Office	Retail/Personal Service/Artisan	Residential/ Dwelling	Lodging	Office
Office	Retail/Personal Service/Artisan	Residential/ Dwelling	Lodging	Office	Retail/Personal Service/Artisan
Retail/Personal Service/Artisan	Residential/ Dwelling	Lodging	Office	Retail/Personal Service/Artisan	Residential/ Dwelling

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

8. 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.
9. 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.
10. 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.
11. One out of every eight required handicapped accessible spaces shall be van-accessible. A minimum of one van-accessible space shall be provided.
12. 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.

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:

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

TABLE 4.3.12.C-1 (OFF-STREET VEHICULAR PARKING SPACE DIMENSIONS)

Parking Angle Minimum (degrees) Stall Length	Stall Width 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.

The diagrams show four parking layouts from left to right: 90 degrees, 60 degrees, 45 degrees, and 0 degrees. Each diagram shows a row of parking stalls with an aisle on the right. The aisle width is labeled for each: 24 ft. for 90 degrees, 18 ft. for 60 degrees, 16 ft. for 45 degrees, and 12 ft. for 0 degrees. The stalls are marked with lines indicating their dimensions and the angle of the parking space.

- 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 Length of Space (degrees) (feet)	Width of Space Aisle Width (feet) (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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

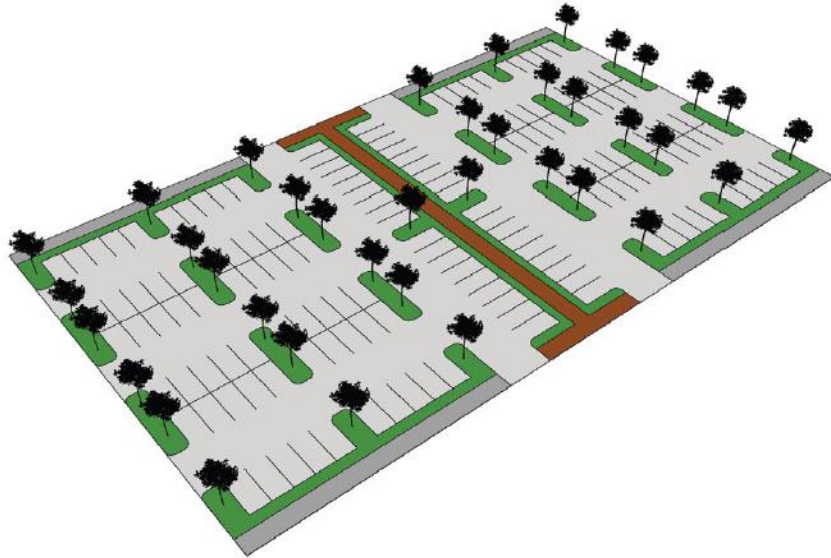
Except as otherwise expressly provided in this Ordinance with respect to numbers of Driveways, Lots and Building Sites shall be limited to one curb cut per Lot or Building Site.
7. Unless alternative Parking surfaces are otherwise permitted by this Ordinance, all off – street Parking Areas and Parking 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 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

- 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 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

ILLUSTRATION 4.3.12.C-3 PARKING AREA / LOT OR BUILDING SITE LANDSCAPING



- I. 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 with 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

- 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.

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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

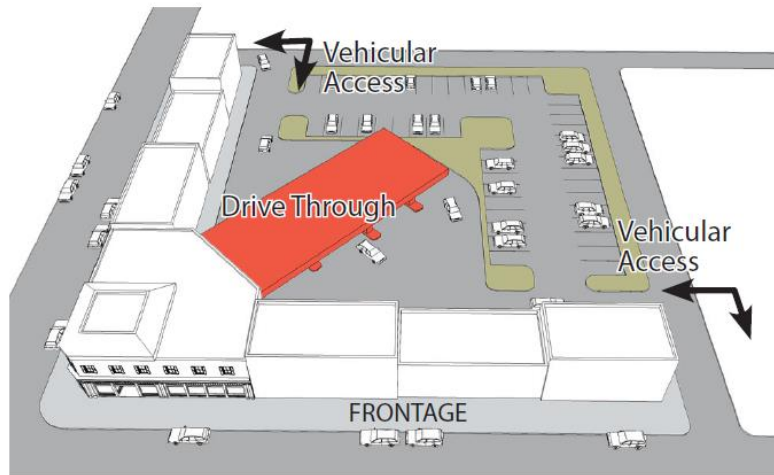
1. Domestic and recreational vehicles such as boats, camper trailers, and utility trailers shall be stored off - street, subject to the location requirements of Table 4.3.1-A– 4.3.1-U (District Standards). Boats, camper trailers, and utility trailers may be stored on an unpaved surface, provided they are parked in the third layer and screened from view from the public right-of-way and adjacent properties.
2. Parking of buses on the site of and directly associated with a permitted Non-Residential Use 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 axel 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, i.e. 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)**.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

ILLUSTRATION 4.3.12.G DRIVE-THROUGH



- Any drive-through locations must be accessed by Rear Alleys, when such are available on the Zoning Map or otherwise available.
- Off-street vehicular stacking spaces shall be provided for all drive-through facilities in accordance with Section 4.3.12.H.

H. Stacking Spaces.

- 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:

Table 4.3.12.H (Stacking Spaces)

TABLE 4.3.12.H (STACKING SPACES)

Activity Type	Min. # of Stack-	
ing 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	Pickup Window
Valet Parking	3	Valet Stand
*Other as determined by Zoning Administrator in consideration of approved study prepared by a registered engineer with expertise in Transportation Engineering		

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 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.

4.3.13 Bicycle Parking

- 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.
 5. Bicycle parking areas shall be separated from automobile parking and circulation areas by a physical barrier or a distance of feet.

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 4,00 sq. ft. gross floor area
Medical Uses	
All Uses	None Required
Commercial/ Retail/ Professional & Service Uses	
All Uses	1 space per 4,00 sq. ft. gross floor area
Office Uses	
All Uses	1 space per 20 parking spaces
Communication Uses	

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 Uses	
All Uses	None Required

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 Spaces	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 each Additional 90,000sf	
Other	N/A	N/A	N/A

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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.
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 space 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE 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.

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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.
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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 TENNESSE 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
Bur Oak	Q. Marcocarpa
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
Cumcumbertree	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 Stryaciflua
Green Ash	Fraxinus Pennsylvanica
Sycamore	Platanus Occidentalis

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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
Serviceberry	Amelanchier Aborea
Buckthorn Bumelia	Bumelia Lyciodes
Shining Sumac	Rhus Copallina
Smoketree	Continus Obovatus
Devil's Walking Stick	Aralia Spinosa
Smooth Sumac	Rhus Galbra
Dogwood	Cornus Florida
Snowbell	Styrax Spp.
False Indigo	Amorpha Fruticosa
Sourwood	Oxydendron Arboreum
Fringetree	Chionanthus Virginicus
Staghorn Sumac	Rhus Typhina
Hawthorn	Crateagus Spp.
Striped Maple	Acer Pennsylvanicum
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
Carolina Buckthorn	Rhamnus Caroliniana

- 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 listed in Table 4.3.16.D-1 (Native Plants of the Tennessee Valley) and shrubs shall be allowed in access Easements, provided a minimum 20-foot wide travel way 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

- (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;
 - 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:

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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)		
	CD-2 CD-3L CD-3 CD-4 CD-4C CD-5C SD-MHP SD-INT PUD-R PUD-MU	CD-4 CD-4C CD-5C SD-INT PUD-MU	SD-LI SD-HI
80% - 100%	30%	15%	10%
60% - 79%	36%	18%	11%
40% - 59%	45%	22%	12%
20% - 39%	48%	24%	13%
195 - 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;
 - (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;

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

- (3) Land 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 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
 - (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 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

approved by the Zoning Administrator. Performance guarantees 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 planted on the Lot or Building Site or as applicable, the Development Parcel, where the Specimen Tree was removed; however, in cases where space on the Lot or Building 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 a site within 1,320 feet of the Development Parcel.

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 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 LIGHT STANDARDS)

District	Min./Max. Lighting Level at Frontage Line
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

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 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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).

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.

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)

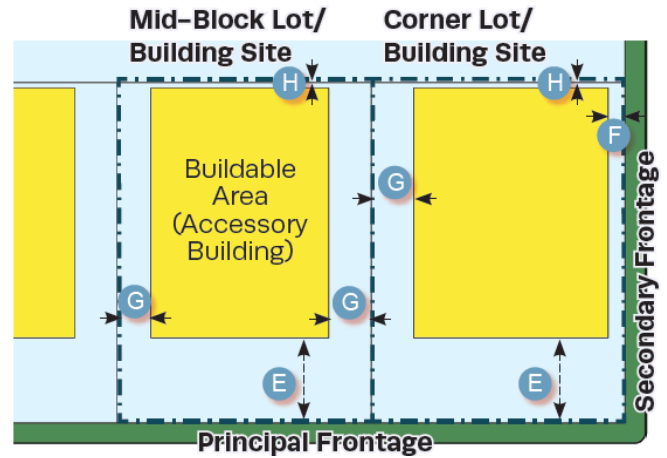
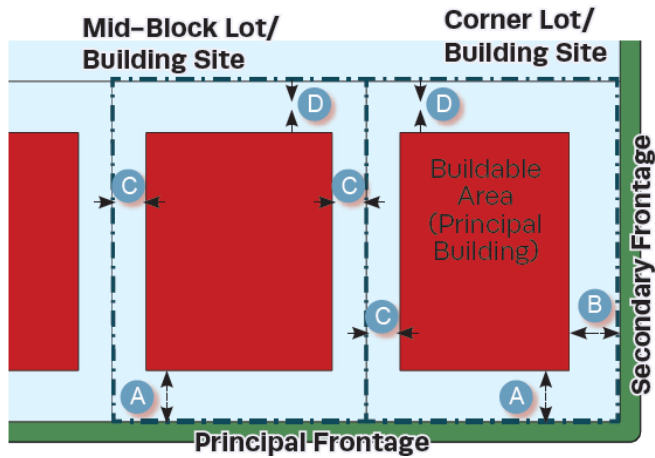
Permitted Uses

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

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 sp. 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	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, 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 Each Principal Building must have an identifiable Base, Middle, & Cap

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	NR
Blank Walls	NP
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features

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 2 nd 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, stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.		
Porch Pier Cladding	Required; brick or 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.		
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

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 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP	NP on-Street, except for delivery and Temporary Use of trailers

CD-2**TABLE 4.3.1-A DISTRICT STANDARDS:
RURAL CHARACTER DISTRICT**

All Other Vehicles

NP**NP** 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 2 nd or 3 rd Layer only; Min interior dimensions 10 ft. x 20 ft. per vehicle Parking space
Garage Design	If Garage faces Street in 1 st or 2 nd 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 1 st 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

CD-2 **TABLE 4.3.1-A DISTRICT STANDARDS:**
RURAL CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	N/A
Drive- Through Locations	N/A

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	NP	P
Solar Panels	P if coplanar to and integrated into roof design	P if coplanar to and integrated into roof design	P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd 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)

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 8 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

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 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3L

TABLE 4.3.1-B DISTRICT STANDARDS

NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT



General Description

The CD-3L Neighborhood Large Lot Character District consist of primarily a low density single-family detached Residential area in which House is the predominant Building type. It has large Lotor Building Sites, medium deep front Setback and medium to wide side Setbacks. Its Thoroughfares and Internal Drives have curbs and may include Sidewalks, and/or street tress, and form medium to large blocks. CD-3L is an appropriate District for the Suburban Neighborhoods future land use Character Area described in the Comprehensive plan.

TABLE 4.3.1-B DISTRICT STANDARDS:
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

Density / Floor Area Ratio (FAR)	*Applicable only to Development Parcels
2 Density Unit 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)	NP		

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)

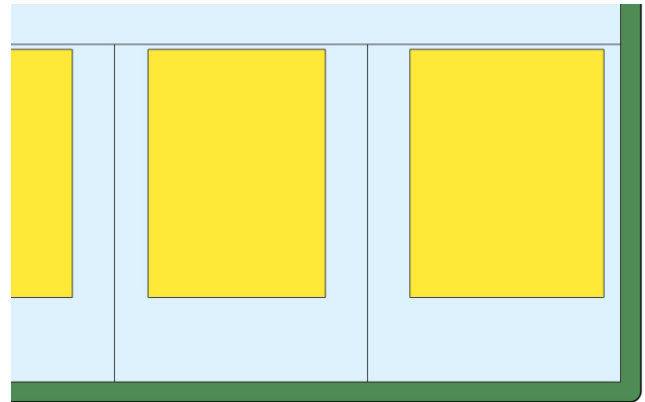
Permitted Uses

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

Principal Building	1 max
Accessory Buildings	2 max

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 $\leq 20\%$ 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 or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard	30 ft. min.	A	Front Setback/ Yard		
Principal Footage			Principal Frontage	20 ft.min + Principal Building Front Setback/ Yard	E
Front Setback/ Yard					
Secondary Frontage	30 ft. min.	B	Front Setback/ Yard		
Side Setback/ Yard			Secondary Frontage	30 ft. min	F
Each side	12 ft. min.	C	Side Setback/ Yard		
			Each side	10 ft. min	G
Rear Setback	30 ft. min, or 15 ft min				
From centerline of rear alley		D	Rear Setback	5 ft. min, or 15ft. min	
			From centerline of rear alley		H

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/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages, located no further than 50% of 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	NR
Blank Walls	NP at Frontage
Façade Articulation	NR at Frontage
Façade Openings	NR
Façade Glazing	NR
Window Shape	NR
Window Alignment	NR
Window Types	NR
Window Glazing Material	NR
Window Trim in 1 st Layer	NR
Shutters	NR
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

CD-3L **TABLE 4.3.1-B DISTRICT STANDARDS:**
NEIGHBORHOOD LARGE LOT 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 roof 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 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 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 alongside Elevations through 2 nd 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	NR
Foundation Cladding	Required; brick, stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.
Porch Pier Cladding	Required; brick or 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.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

CD-3L **TABLE 4.3.1-B DISTRICT STANDARDS:**
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

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).

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd 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	NP in 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	P Prepared surface of, asphalt, concrete, or another hard surface for 30 feet from Thoroughfare or Internal Drive, gravel permitted for any remaining depth of driveway.
Garage Location	P In 2 nd or 3 rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space If Garage faces Street in 1 st or 2 nd layer: max. Garage door width 33% of total Garage + Façade width
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 – 20 ft. in 1 st Layer
Parking Structure	NP
Parking Structure Pedestrian Exit Location	N/A

CD-3L **TABLE 4.3.1-B DISTRICT STANDARDS:**
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

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

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	N/A
Drive- Through Locations	N/A

Non-Building Components

	1 st Layer	2 nd Layer	3 rd 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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	P	P
Animals 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)

TABLE 4.3.1-B DISTRICT STANDARDS:
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT
Private Landscaping and Fencing
Landscaping

In compliance with Section 4.3.16; with one (1) tree min per 50 ft. of Frontage and continuous shrubs around foundation at 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 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

Required

Locations of Retaining Walls

P within required Yards, per Section 4.3.10

If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-3L **TABLE 4.3.1-B DISTRICT STANDARDS:**
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

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

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 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3 TABLE 4.3.1-C DISTRICT STANDARDS NEIGHBORHOOD CHARACTER DISTRICT



General Description

The CD-3 Neighborhood Large Lot Character District consist of primarily medium density single-family detached Residential area in which House is the predominant Building type. It has medium to deep front Setback and medium to wide side Setbacks. Its Thoroughfares and Internal Drives have curbs and may include Sidewalks, and/or street tress, and form medium to large blocks. CD-3 is an appropriate District for the Suburban Neighborhoods future land use Character Area described in the Comprehensive plan; it is also appropriate for City Center Urban Village Future Land Use Character Area where the Planning Commission determines that is compatible with the established land use pattern in the surrounding area.



CD-3 **TABLE 4.3.1-C DISTRICT STANDARDS:**
NEIGHBORHOOD CHARACTER DISTRICT

Density / Floor Area Ratio (FAR)	*Applicable only to Development Parcels
4 Density Unit 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)

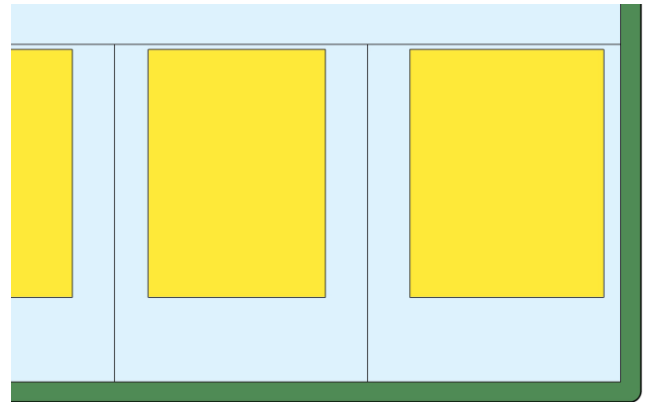
Permitted Uses

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

Principal Building	1 max
Accessory Buildings	2 max

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 $\leq 20\%$ 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. The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.O.
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard	25 ft. min.	A	Front Setback/ Yard		
Principal Footage			Principal Frontage	20 ft.min behind Principal Building Frontage	E
Front Setback/ Yard					
Secondary Frontage	20 ft. min.	B			
Side Setback/ Yard			Front Setback/ Yard		
Each side	8 ft. min.	C	Secondary Frontage	20 ft. min	F
Rear Setback	25 ft. min, or 15 ft min		Side Setback/ Yard		
From centerline of rear alley		D	Each side	5 ft. min	G
			Rear Setback/ Yard	5 ft. min, or 15ft. min	
			From centerline of rear alley		H

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/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages, located no further than 50% of 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	NR
Blank Walls	NP at Frontage
Façade Articulation	NR at Frontage
Façade Openings	NR
Façade Glazing	NR
Window Shape	NR
Window Alignment	NR
Window Types	NR
Window Glazing Material	NR
Window Trim in 1 st Layer	NR
Shutters	NR
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

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 roof 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 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 siding	P for Residential Use
	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 alongside Elevations through 2 nd 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	NR
Foundation Cladding	Required; brick, stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.
Porch Pier Cladding	Required; brick or 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.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

CD-3 **TABLE 4.3.1-A DISTRICT STANDARDS:**
NEIGHBORHOOD CHARACTER DISTRICT

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).

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd 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 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	P Prepared surface of, asphalt, concrete, or another hard surface for 100 feet from Thoroughfare or Internal Drive, gravel permitted for any remaining depth of driveway.
Garage Location	P In 2 nd or 3 rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space If Garage faces Street in 1 st or 2 nd layer: max. Garage door width 33% of total Garage + Façade width
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	18 ft. max in 1 st Layer
Parking Structure	NP
Parking Structure Pedestrian Exit Location	N/A

CD-3 **TABLE 4.3.1-A DISTRICT STANDARDS:**
NEIGHBORHOOD CHARACTER DISTRICT

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

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	N/A
Drive- Through Locations	N/A

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P	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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	P	P
Animals 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)

CD-3	TABLE 4.3.1-A DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT
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Private Landscaping and Fencing

Landscaping

In compliance with Section 4.3.16; with one (1) tree min per 50 ft. of Frontage and continuous shrubs around foundation at 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 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

Required

Locations of Retaining Walls

P within required Yards, per Section 4.3.10
If supporting grade 8 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

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)

Thoroughfare from Non-Family Residential
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 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4 TABLE 4.3.1-D DISTRICT STANDARDS GENERAL URBAN CHARACTER DISTRICT



General Description

The CD-4 General Urban Character District consist 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. Has Thoroughfares and Internal Drives with curbs, Sidewalks and tress that define medium-sized blocks. CD-4 is an appropriate District for the City Center Urban Village Future Land Use described in the Comprehensive Plan.



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

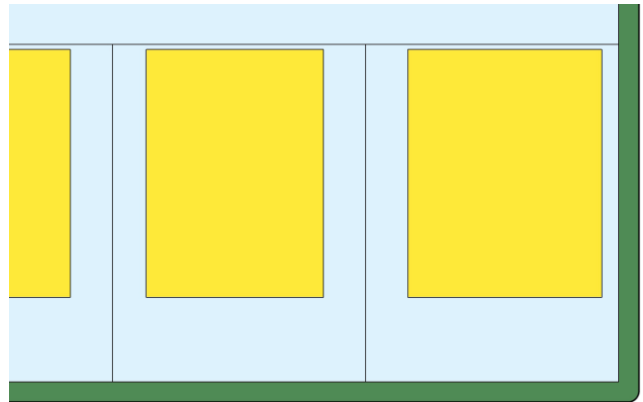
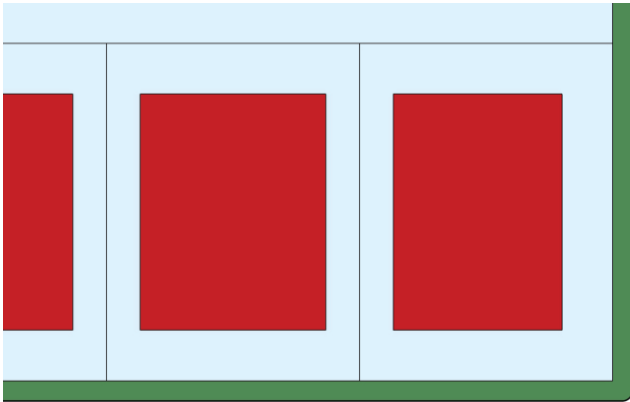
See Table 5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B (Civic Space - Specific Standards)

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

Principal Building	1 max
Accessory Buildings	1 max



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 x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit X 8max. attached Townhouse units All other Building Types: 18 ft. max All Building Types: 120 ft max
Frontage Buildout	60% min
Lot/ Building Site Area	NR
Impervious Surface Coverage	80% max
Lot/ Building Site Enfrontment	Townhouse: Must enfront a vehicular Thoroughfare, Internal Drive, or Courtyard, except $\leq 20\%$ 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 $\leq 20\%$ 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. The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.O.
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

TABLE 4.3.1-D DISTRICT STANDARDS:
GENERAL URBAN CHARACTER DISTRICT
Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard Principal Footage	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. - 20 ft. min.	B			
Side Setback/ Yard Each side	0 ft min between individual Townhouse Units & Duplex Units; otherwise 6ft min	C	Front Setback/ Yard Secondary Frontage	6 ft. min	F
			Side Setback/ Yard Each side	0 ft. min	G
Rear Setback	25 ft. min, or 15 ft min From centerline of rear alley	D	Rear Setback/ Yard	3 ft. min, or 5 ft. min From centerline of rear alley	H

Building Standards
Building Height*

Principal Building 3 Stories max

Accessory Building 2 Stories max

*Stories/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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 Shopfront Facade, which may not exceed 25ft.

Building Composition

Vertical Composition Each Principal Building must have an identifiable Base, Middle & Cap

Finished Floor Level If Residential: 18 ft., 48 in. max above average grade at façade

Façade	
Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade 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)
Façade Openings	Windows, and/or doors spaced ≤ 20 ft. apart In Stories above first Façade openings must be $\leq 50\%$ of the total Façade area
Façade Glazing	20% - 60% of total ground floor Façade area
Window Shape	Square or vertical in proportion, except 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 Façade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st 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
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
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
Façade Variety	Within a Development Parcel no Façade may exist more than once in a Block Face

Building Standards (continued)

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	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	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 alongside Elevations through 2 nd 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	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim
Foundation Cladding	Required; except foundation cladding, or absence of cladding, may match current material on renovations and minor expansions of existing structures.
Porch Pier Cladding	Required; brick or 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	Required; brick, natural stone, with material matching primary material of Façade

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).

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd 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 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Asphalt, concrete, or another hard surface
Garage Location	P In 3 rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space If Garage faces Street in 1 st or 2 nd layer: max. Garage door width 33% of total Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 ft. max in 1 st Layer if Residential; 36 ft. max in 1 st layer if non-Residential; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

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

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC 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 if coplanar to and integrated into roof design	P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	NP	P
Animals 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)

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

Required continuous shrubs around foundation at Frontage if 1st Layer $\geq$ 3ft. deep, plus if 1st Layer is $\geq$ 15ft. deep, 1 tree planted in 1st Layer every 50' ft of Frontage. Drive aisles within 1st Layer, continuous shrubs Landscaping must comply with Section 4.3.16

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 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 only Picket type allowed at Frontage; other types allowed on sides and 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

Required

Locations of Retaining Walls

P within required Yards, per Section 4.3.10
If supporting grade 8 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	3 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards

Non-Residential & Multi-Family Residential
Screen. Street-Screen Adjacent to or across
Thoroughfare from Non-Family Residential

NR

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 and
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 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4C TABLE 4.3.1-E 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 parcels identified as Facilitate or Active on the Areas of Change map of the Comprehensive Plan, which have access onto a public right-of-way classified as principal arterial or minor arterial in the Transportation element of the Plan and are located in Suburban Neighborhoods and City Center Urban Village Future Land Use described in the Comprehensive Plan.



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).

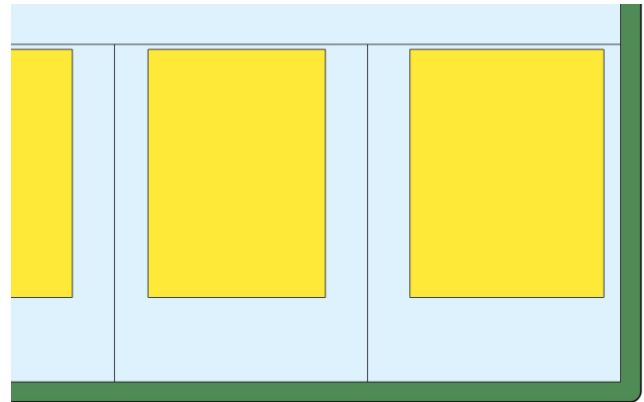
Number of Buildings

Principal Building

1 max

Accessory Buildings

1 max



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 x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit x6max. 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 $\leq 20\%$ 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. The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.O
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard	6 ft min; 40 ft max.;	A	Front Setback/ Yard		
Principal Footage	except where the Lot or		Principal Frontage	20 ft.min behind Principal	E
Building Site enfronts a Thoroughfare with a functional classification of Arterial and parking is located in the First Layer, max 85 ft			Building Frontage;	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			Front Setback/ Yard		
Secondary Frontage	6 ft. min - 40 ft. max.	B	Secondary Frontage	5 ft. min	F
Side Setback/ Yard			Side Setback/ Yard		
Each side	0 ft min per side	C	Each side	5 ft. min	G
Rear Setback	3 ft. min, or 15 ft min		Rear Setback/ Yard	3 ft. min, or 5 ft. min	
	From centerline of rear alley	D	If Garage door faces Rear Alley		H

Building Standards
Building Height*

Principal Building 4 Stories max

Accessory Building 2 Stories max

*Stories/ Height do not include Attics and Basements, chimneys, flagpoles, towers, spires, belfries, parapet walls, aerals, or antennas. Any Building exceeding 35 feet in height must obtain approval from stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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 Shopfront Facade, which may not exceed 25 ft.

Building Composition

Vertical Composition Each Principal Building must have an identifiable Base, Middle & Cap

Finished Floor Level **NR**

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade 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)

Façade Openings	Windows, and/or doors spaced ≤ 20 ft. apart In Stories above first Façade openings must be $\leq 50\%$ of the total Façade area
Façade Glazing	Non-Shopfront: 20% - 60% of total ground floor Façade area for Shopfront: min. 50% of total ground floor Façade area, min. 20% of total Façade area on upper floors and secondary elevations
Window Shape	Square or vertical in proportion, except 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 Façade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st 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
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
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
Façade Variety	No Façade may exist more than once in a Block Face

Building Standards (continued)

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
	Wood	P	Vinyl or Aluminum siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd 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	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim
Foundation Cladding	Required; brick, stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.
Porch Pier Cladding	Required; brick or 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.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

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).

Vehicular Parking Requirements
Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in 3 rd layer only, and in Driveway
All Other Vehicles	NP	P in 3 rd 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.

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete, or another hard surface
Garage Location	P In 3 rd 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 Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 ft. max in 1 st Layer if Residential; 36 ft. max in 1 st layer if non-Residential; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage
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

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

CD-4C	TABLE 4.3.1-E DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT
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Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	NP	P
Animals 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)

Private Landscaping and Fencing
Landscaping

Required continuous shrubs around foundation at Frontage if 1st Layer $\geq$ 3ft. deep, plus if 1st Layer is $\geq$ 15ft. deep, 1 tree planted in 1st Layer every 50' ft of Frontage. Drive aisles within 1st Layer, continuous shrubs Landscaping must comply with Section 4.3.16

Walls & Fencing

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, 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 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

Required

Locations of Retaining Walls

P within required Yards, per Section 4.3.10
If supporting grade 8 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	3 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards

Non-Residential & Multi-Family Residential
Screen. Street-Screen Adjacent to or across
Thoroughfare from Non-Family Residential

NR

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.

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.

Rooftop Antenna Screening and
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 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5 TABLE 4.3.1-F DISTRICT STANDARDS URBAN CENTER CHARACTER DISTRICT



General Description

The CD-5 Urban Center Character District consists of medium to higher density Mixed Use areas. It has a tight network of Thoroughfares and Internal Drives with Sidewalks, streetlights, and regular tree spacing, defining medium sized blocks. Buildings are set close to the Sidewalks. CD-5 is an appropriate District for the City Center Urban Village Future Land Use described in the Comprehensive Plan.

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

2000 ft. max or 3000 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

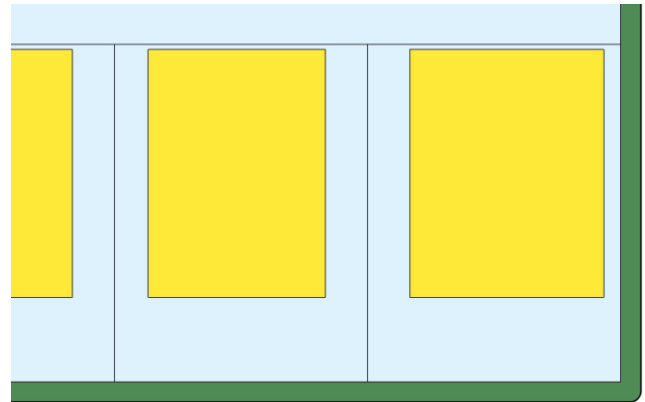
Principal Building

1 max

Accessory Buildings

1 max

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER 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 x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit x6max. attached Townhouse units Large Scale Commercial: 600 ft max All other Building Types: 18 ft. min – 120 ft. max
Frontage Buildout	80% min except House and Duplex 60% min
Lot/ Building Site Area	NR
Impervious Surface Coverage	100% max
Lot/ Building Site Enfrontment	Must enfront a vehicular Thoroughfare or Internal Drive, except $\leq 20\%$ 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 or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard	0 ft at corners; 0 ft min.	A	Front Setback/ Yard		
Principal Footage	15 ft max elsewhere		Principal Frontage	40 ft max from rear Property Line; except	E
Front Setback/ Yard					
Secondary Frontage	0 ft at corners, 0 ft min.	B			
	15 ft max elsewhere		Side Setback/ Yard	3 ft max	F
Side Setback/ Yard					
Each side	0 ft min; 24 ft max per side	C	Rear Setback/ Yard	3 ft min or 5 ft min if Garage door faces Alley	G
Rear Setback	NR	D			

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/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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 11ft. 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 average grade at Façade

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade 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)
Façade Openings	Windows, and/or doors spaced $\leq$ 20 ft. apart In Stories above first Façade openings must be $\leq$ 50% of the total Façade area
Façade Glazing	Non-Shopfront 20% - 60% of total ground level Façade area; for Shopfront: min 50% of total ground level Façade area, min. 20% of total Façade area on upper floors and secondary elevations
Window Shape	Square or vertical in proportion, except 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 Façade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Façade openings must be $\leq$ 50% of total Façade area.
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st 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
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
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
Façade Variety	No Façade may exist more than once in a Block Face or within view of the same Façade

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER CHARACTER DISTRICT

Building Standards (continued)

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
	Wood	P	Vinyl or Aluminum siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd 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	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim

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).

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 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in 3 rd layer only, and in Driveway
All Other Vehicles	NP	P in 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete, or another hard surface
Garage Location	P In 3 rd 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 Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	24 ft. max in 1 st Layer; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

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

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	NP	P
Animals 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)

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

NA if paved or $\leq$ 3ft front Setback/ Yard; Otherwise, shrubs continuous around foundation at Façade. Landscaping must comply with Section 4.3.16

Walls & Fencing

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, 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

Required

Locations of Retaining Walls

P within required Yards, per Section 4.3.10
If supporting grade 8 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	3 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards

Non-Residential & Multi-Family Residential
Screen. Street-Screen Adjacent to or across
Thoroughfare from Non-Family Residential

NR

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 and
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 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 medium to 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 Sidewalks. CD-5C is limited to parcels identified as Active on the Areas of Change map of the Comprehensive Plan which have access to a Principal Arterial identified in the Transportation Plan located in the City Center Urban Village Character Area described in the Comprehensive Plan.

Density / Floor Area Ratio (FAR)

*Applicable only to Development Parcels

NR

BLOCK SIZE*

*Applicable only to Development Parcels

Block Perimeter

2000 ft. max or 3000 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).

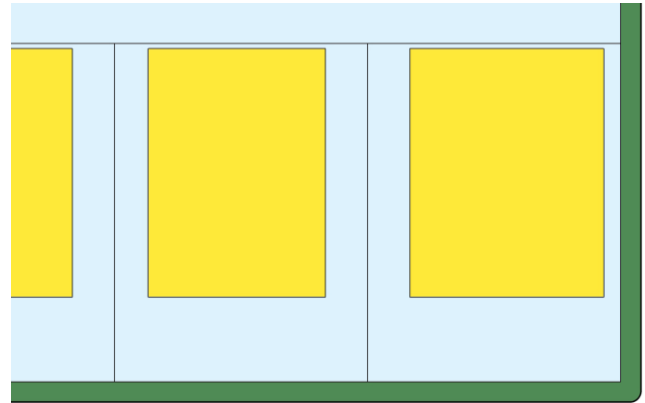
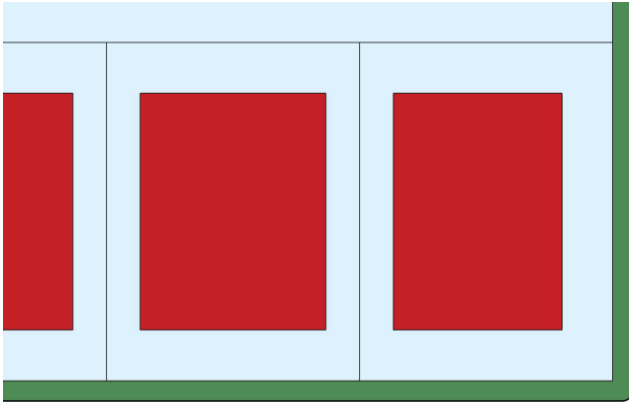
Number of Buildings

Principal Building

1 max

Accessory Buildings

1 max



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 x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit x8 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 $\leq 20\%$ 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 or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard	0 ft at corners; 0 ft min.	A	Front Setback/ Yard		
Principal Footage	15 ft max elsewhere		Principal Frontage	40 ft max from rear Property Line.	E
Front Setback/ Yard					
Secondary Frontage	0 ft at corners, 0 ft min.	B			
	15 ft max elsewhere		Side Setback/ Yard	3 ft max	F
Side Setback/ Yard					
Each side	0 ft min; 24 ft max per side	C	Rear Setback/ Yard	3 ft min or 5 ft min if Garage door faces Alley	G
Rear Setback	NR	D			

Building Standards

Building Height*

Principal Building 2 Story min; 4 Stories max

Accessory Building 2 Stories max

*Stories/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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 11ft. 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 average grade at Façade

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade 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)
Façade Openings	Windows, and/or doors spaced ≤ 20 ft. apart In Stories above first Façade openings must be $\leq 50\%$ of the total Façade area
Façade Glazing	20% - 60% of total Façade area for non-Shopfront; 70% of total Façade area, min. for Shopfront
Window Shape	Square or vertical in proportion, except 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 Façade and 1 st & 2 nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Façade openings must be $\leq 50\%$ of total Façade area.
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st 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
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
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
Façade Variety	No Façade may exist more than once in a Block Face or within view of the same Façade

Building Standards (continued)

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
	Wood	P	Vinyl or Aluminum siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd 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	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim
Foundation Cladding	Required; brick, stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.
Porch Pier Cladding	Required; brick or 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.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

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

CD-5C	TABLE 4.3.1-G DISTRICT STANDARDS URBAN CENTER CORRIDOR CHARACTER DISTRICT
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Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in 3 rd layer only, and in Driveway
All Other Vehicles	NP	P in 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete, or another hard surface
Garage Location	P In 3 rd 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 Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	24 ft. max in 1 st Layer; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

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

TABLE 4.3.1-G DISTRICT STANDARDS
URBAN CENTER CORRIDOR CHARACTER DISTRICT
Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	NP	P
Animals 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)

Private Landscaping and Fencing

Landscaping

NA if paved or $\leq$ 3ft front Setback/ Yard; Otherwise, shrubs continuous around foundation at Façade. Landscaping must comply with Section 4.3.16

Walls & Fencing

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, 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

Required

Locations of Retaining Walls

P within required Yards, per Section 4.3.10

If supporting grade 8 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	3.5 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards

Non-Residential & Multi-Family Residential
Screen. Street-Screen Adjacent to or across
Thoroughfare from Non-Family Residential

NR

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 and
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 5.8

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	3.5 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards

Non-Residential & Multi-Family Residential
Screen. Street-Screen Adjacent to or across
Thoroughfare from Non-Family Residential

NR

Screening of Parking, Loading Areas, Service
Areas, Outdoor Storage, Drive-Throughs,
Trash Receptacle/Dumpsters, HVAC and
other equipment Screened from Frontage,
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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 and
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 5.8

ILLUSTRATION 4.3.3.A (LAYERS)

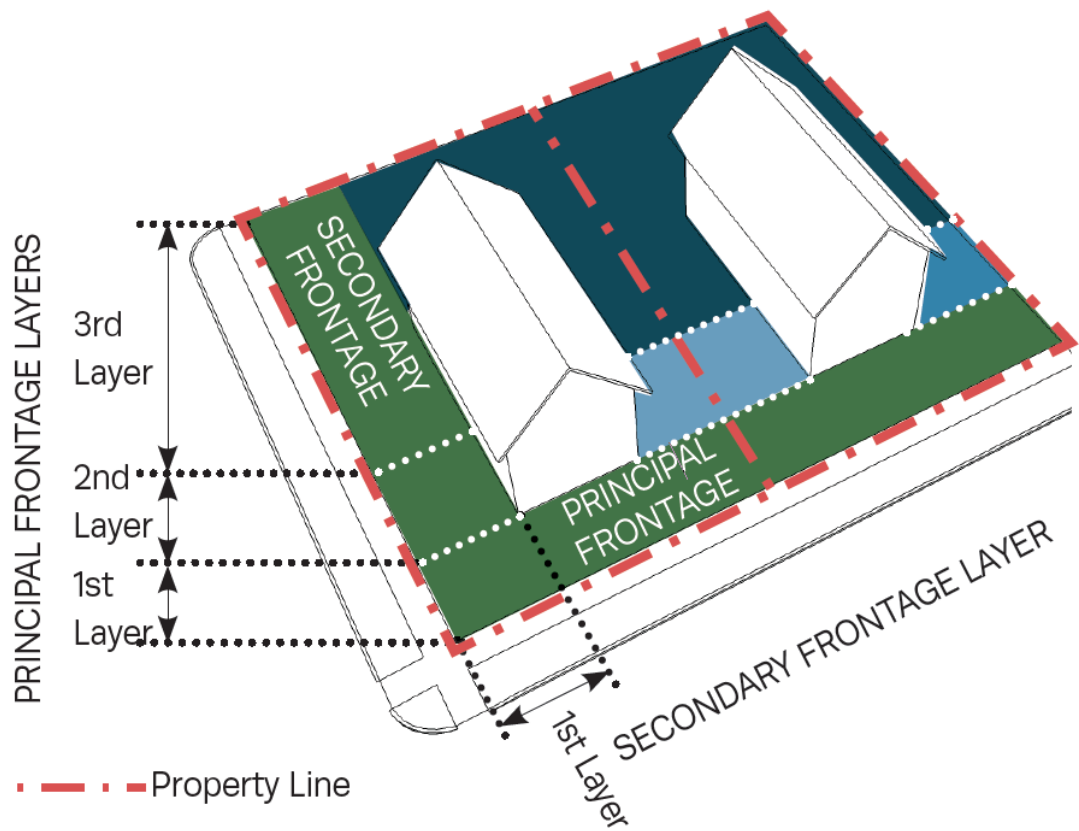


ILLUSTRATION 4.3.3.G.1 (SIGHT TRIANGLE – CORNER)

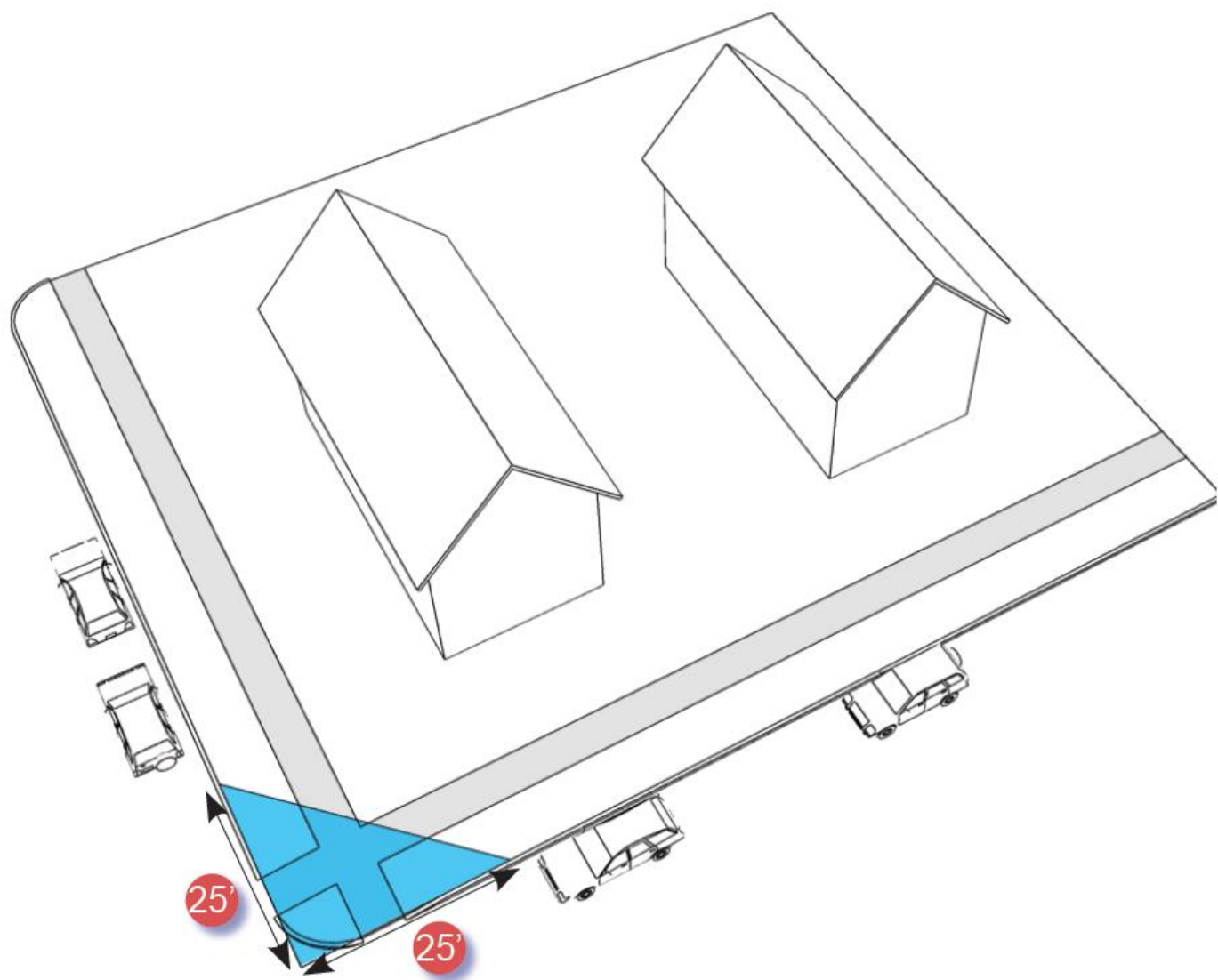


ILLUSTRATION 4.3.3.G.2 (SIGHT TRIANGLE – DRIVEWAY)

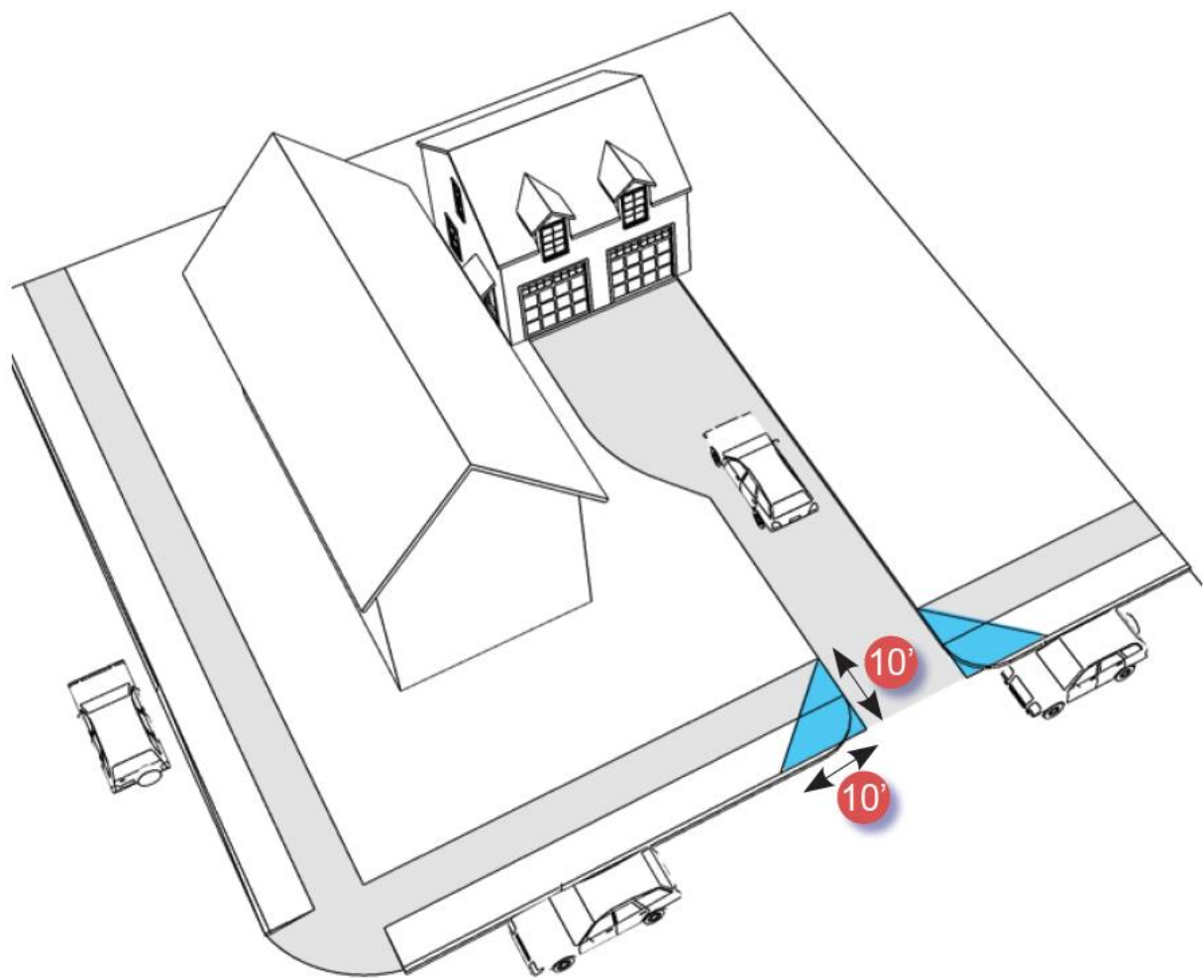


ILLUSTRATION 4.3.4.A SETBACK /YARD DESIGNATIONS

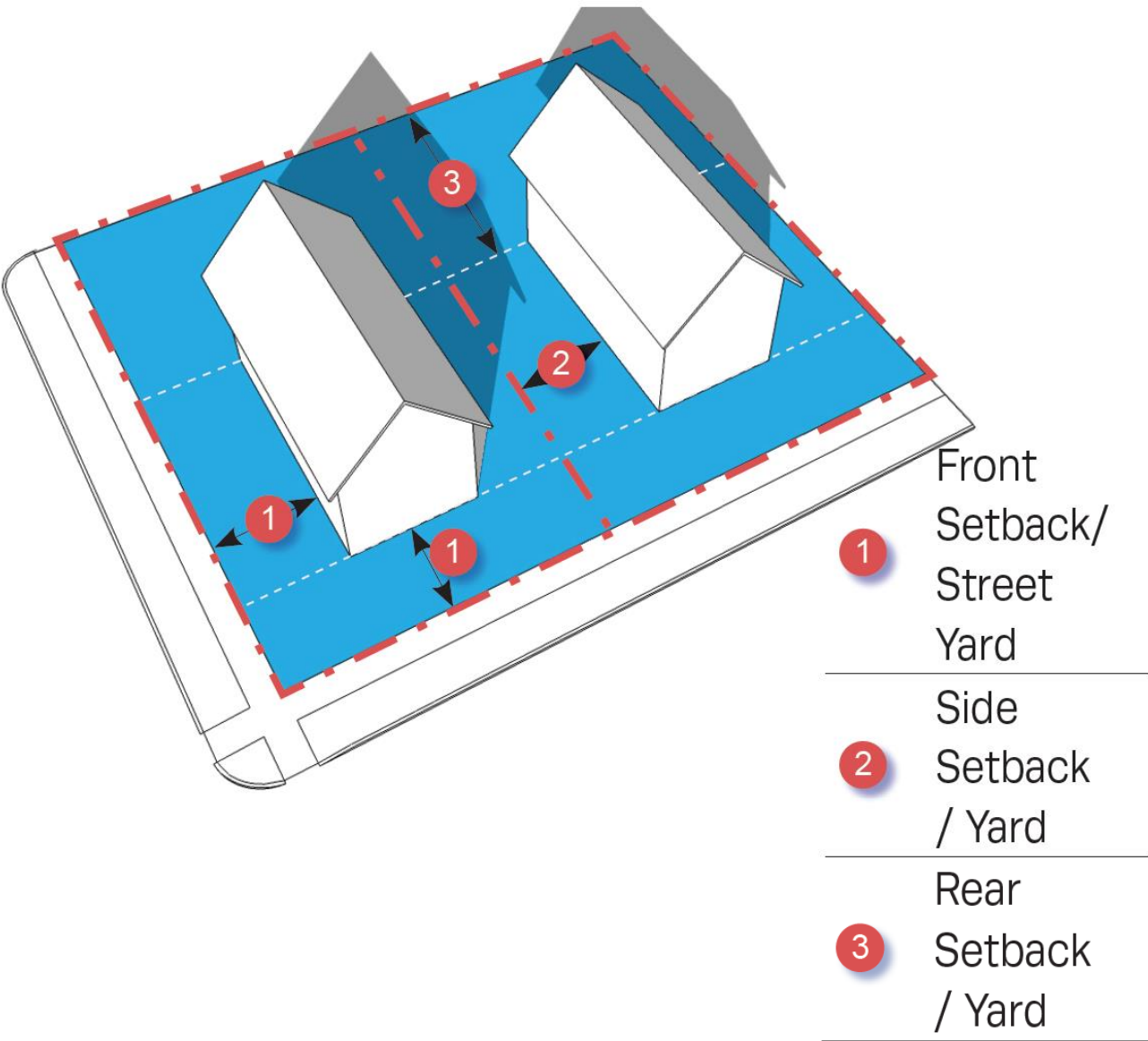


ILLUSTRATION 4.3.4.B PRINCIPAL BUILDING /
ACCESSORY BUILDING

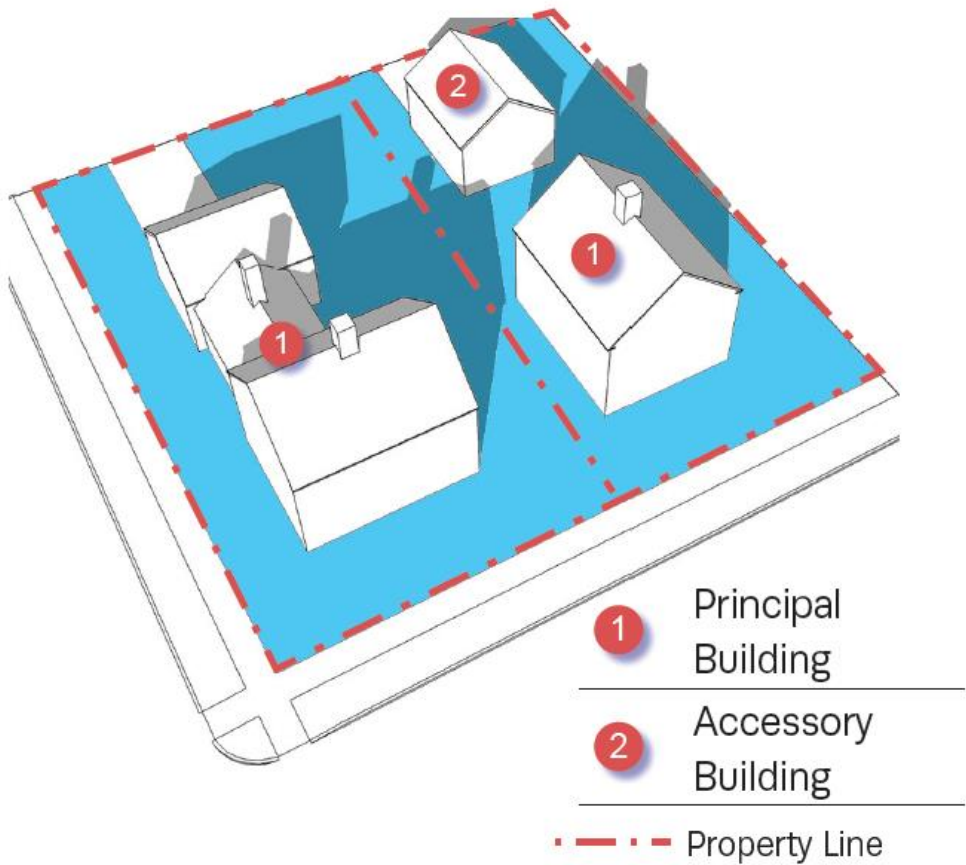


ILLUSTRATION 4.3.5.A-3 (FACADE ARTICULATION)

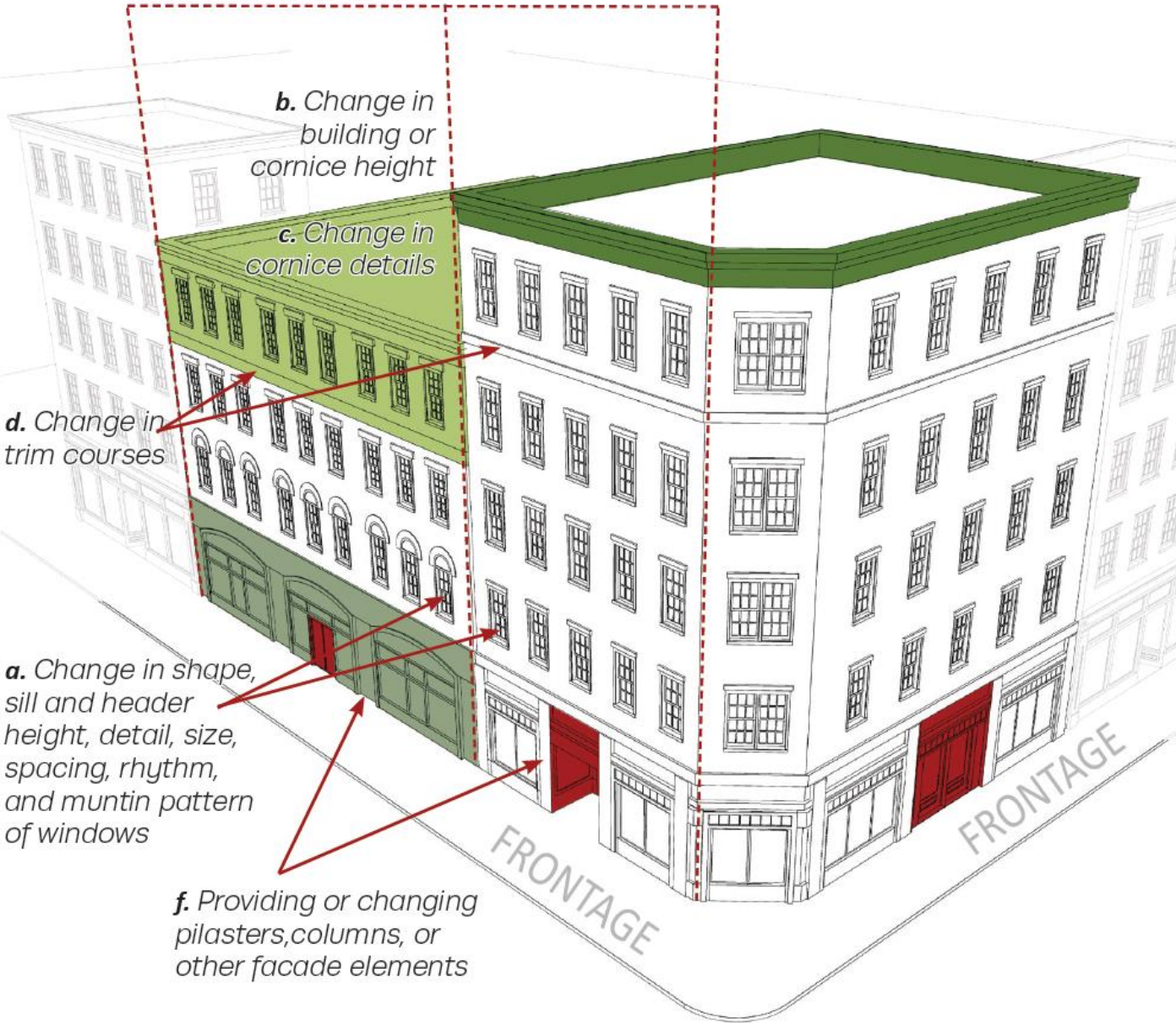


ILLUSTRATION 4.3.5.D-1 (ROOF TYPES)

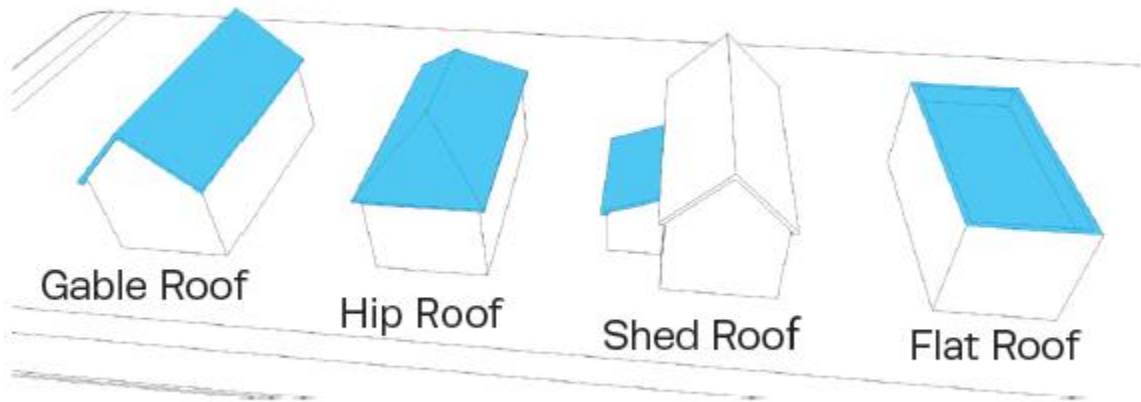
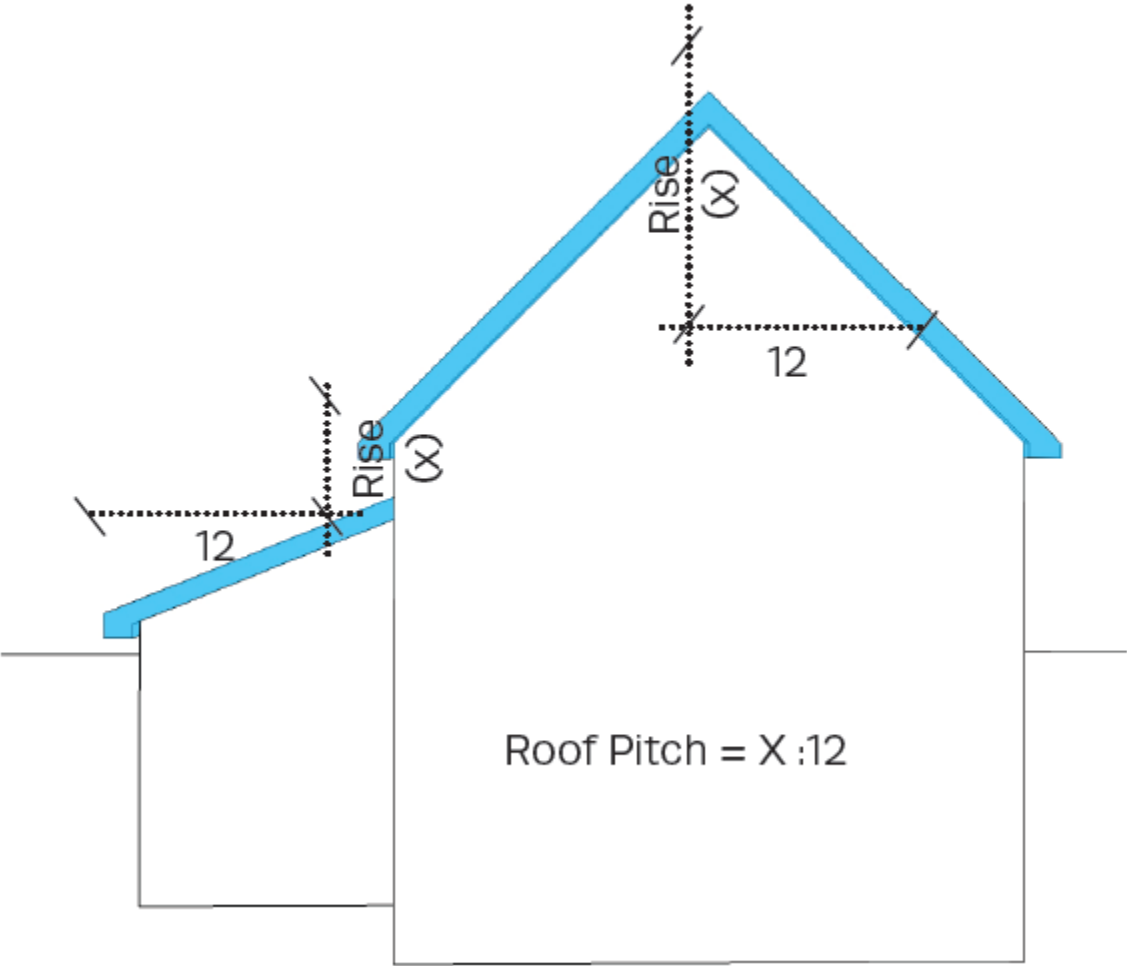


ILLUSTRATION 4.3.5.D-2 (ROOF PITCH)



**ILLUSTRATION 4.3.7.B-2 (FRONTAGE & LOT /
BUILDING SITE LINES)**

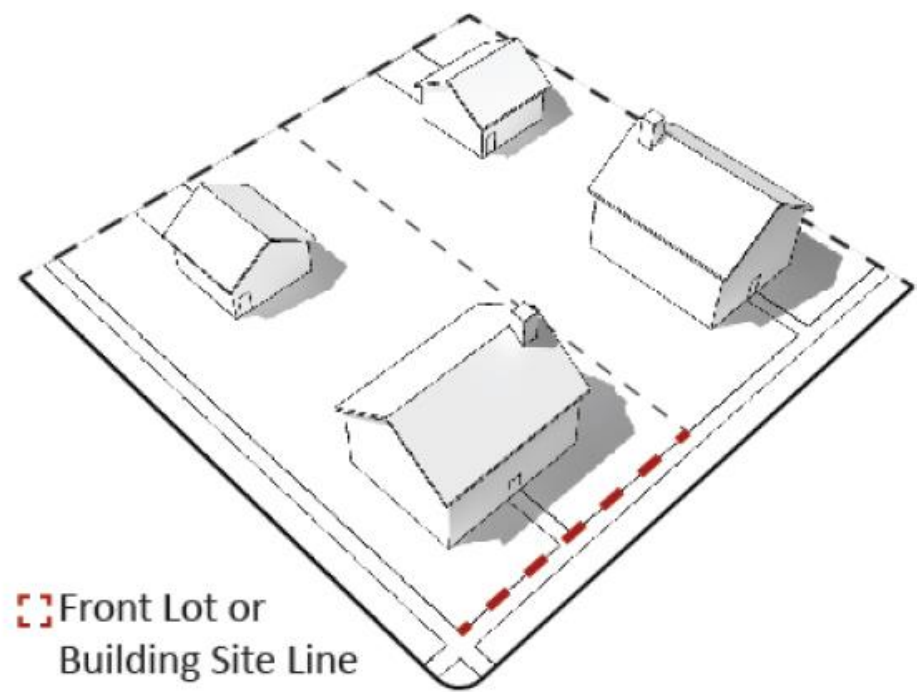
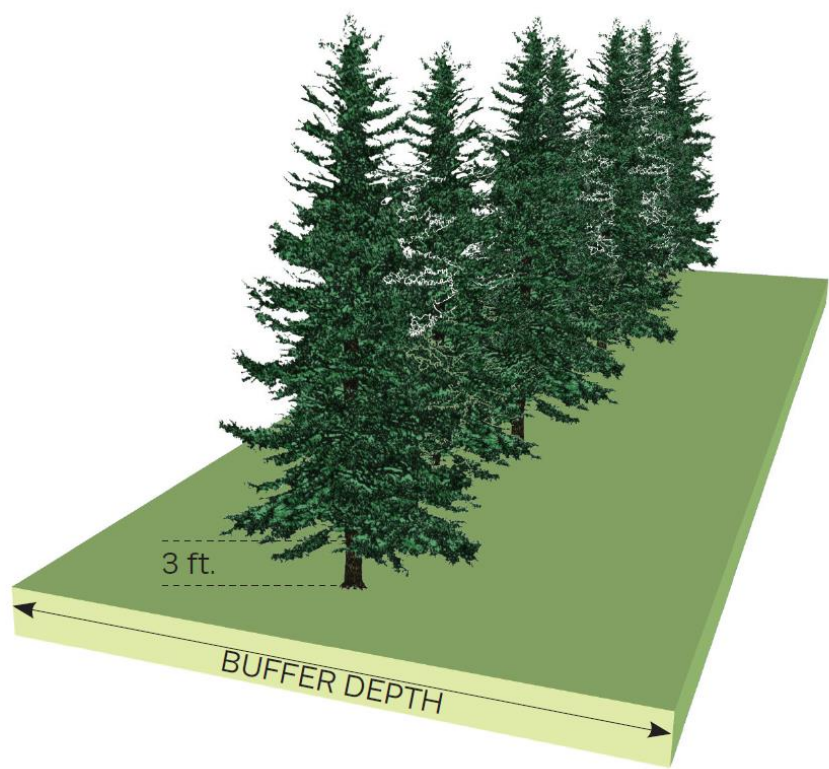


TABLE 4.3.11.H.-1 LOT/BUILDING SITE/PARCEL BUFFER

District of New Dev/Structure	Buffer Depth	Buffer
CD-4	25 ft	Min. 90% opacity 3 ft. from ground and up; Evergreen plants $\geq$ 2.5 in, caliper measured 3 ft. from ground & 8 ft. tall @ installation & 20 ft. tall @ maturity, planted $\leq$ 10 ft. O.C
CD-4C	25 ft.	Same
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



ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS TABLES & ILLUSTRATIONS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	Minimum Number of Spaces of Parking Available to Lot Per Unit of Measurement
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 Dwelling	2 per Dwelling Unit, plus 1 per any rented room
Two Family Dwelling	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 grass 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 Useable 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 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
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 spaced 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 50 feet of waiting area + 1 per 2 employees

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS TABLES & ILLUSTRATIONS

Day Care Facilities (Civic)	
All Day Care Facilities (Civic)	1 per employee + 1 per 10 clients accommodated
CIVIC USES CATEGORY CONTINUED	
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 Use Category	Not Regulated

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	Minimum Number of Spaces of Parking Available to Lot Per Unit of Measurement
CIVIL SUPPORT USES 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	0.50 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
Middle School	1 per Teacher or other staff + 1 per 20 Students
High School	1 per Teacher or other staff + 0.50 per Student seat
Post-Secondary School	
College or University	1 per Teacher or other staff + 1 per Student
Community College	1 per Teacher or other staff + 1 per Student
Graduate or Professional School	1 per Teacher or other staff + 1 per Student
Nursing Por Medical School not accessory to a Hospital	1 per Teacher or other staff + 1 per Student
Seminary	1 per Teacher or other staff + 1 per Student
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 rooms
Hospice, other than at-home care	.50 per bed
Hospital	.50 per bed
Rehabilitation Facility or Facility for Observation	.50 per bed

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS TABLES & ILLUSTRATIONS

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

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE	Minimum Number of Spaces of Parking Available to Lot Per Unit of Measurement
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 guest 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
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 1,00 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 spaced 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS TABLES & ILLUSTRATIONS

Drive-In Theater	1 per vehicle accommodation
Firing Range, such as a Rifle Range, Archery Range, Handgun Range, or Skeet Shooting	1 per customer firing squad
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 vehicle space
Paintball Park	Per Planning Commission Approval
Outdoor Entertainment Activity, such as Batting Cage, Golf Driving Range, Amusement Park, Miniature Golf Facility	Per Planning Commission Approval
COMMERCIAL USES CONTINUED	
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 Recreational 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 without Drive-Through Facility	1 per 300 square feet of total Usable Floor Area
Bars, Taverns, or Nightclub	
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, leasing, or 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
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
Veterinarian Clinic, Animal Hospital, or non-Agricultural Kennel	1 per treatment, procedure, or surgical room + 100 square feet of total 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 5000 square feet of total Usable 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 Boat storage spaces + 2 per Boat ramp + 1 per Boat available for rental + 1 per employee work station + 2 per work day
Motor Vehicle-Related Uses	
All motor vehicle-related uses, other than Gasoline or motor vehicle sales, rental or leasing, motor vehicle maintenance/ cleaning/ repair/ service par sales and tire sales	1 per 500 square feet for Usable Floor Area + .25 per vehicle available for rental + 1 per employee work station + vehicle storage space + 1 per work bay

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS TABLES & ILLUSTRATIONS

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 Space + 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 space + 1 work bay
Wholesale Sales	
All Wholesales not listed under any other category	1 per 10,00 square feet of Usable Floor Area, with a minimum of 2 spaces per employee on premises at one time, b8t no fewer than 2 spaces

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS TABLES & ILLUSTRATIONS

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

PRINCIPAL USE		Minimum Number of Spaces of Parking Available to Lot Per Unit of Measurement
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
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 Event 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 Material 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 the premise 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS TABLES & ILLUSTRATIONS

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
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
INDUSTRIAL USES CONTINUED	
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 Services	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 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 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 Usable Floor Area, with a minimum of 1 space per 2 employees on premises at one time, but no fewer than 2 spaces
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 + 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 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	1 per employee + 2 per acre

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS TABLES & ILLUSTRATIONS

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 Usable Floor Area, with a minimum of 1 per employee 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
INDUSTRIAL USES CONTINUED	
Woodworking, including cabinet makers and furniture manufacturing, but excluding Artisan Establishment	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
Other Light Industrial Uses not listed in any other Use Category	1 per 2,000 square feet of Usable Floor Area, with a minimum of 1 per employee on premises at one time, but no fewer than 2 spaces
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 Utility Uses	Not Regulated
OTHER USES CATEGORY	
Adult Entertainment	1 per 2,000 square feet of Usable Floor Area but no fewer than 2 spaces

TABLE 4.3.12.B-2 (SHARED PARKING FACTOR)

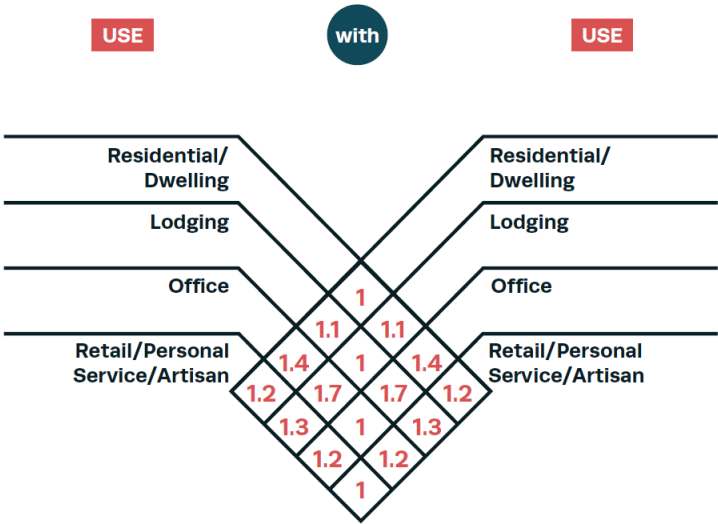


TABLE 4.3.12.B-3 REQUIRED HANDICAPPED ACCESSIBLE PARKING SPACES

# 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

TABLE 4.3.12.C-1 (OFF-STREET VEHICULAR PARKING SPACE DIMENSIONS)

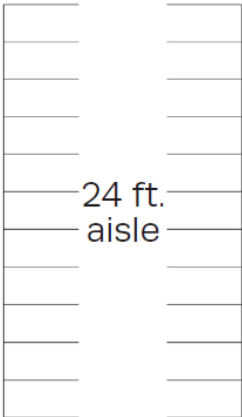
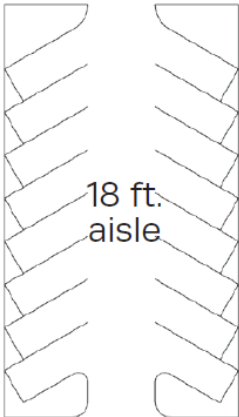
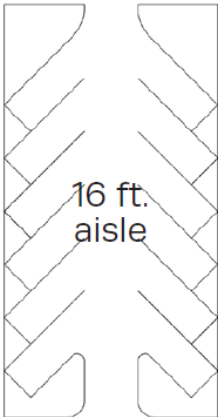
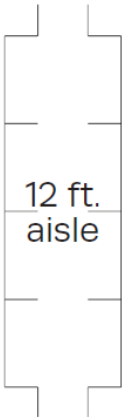
Parking Angle (degrees)	Stall Width	Minimum Stall Length	Aisle Width
0	8 ft.	21 ft.	12 ft.
45	9 ft.	19 ft. except 18 ft. if adjacent to curb	16 ft.
60	9 ft.	19 ft. except 18 ft. if adjacent to curb	18 ft.
90	9 ft.	19 ft. except 18 ft. if adjacent to curb	24 ft.
 24 ft. aisle 90 degrees  18 ft. aisle 60 degrees  16 ft. aisle 45 degrees  12 ft. aisle 0 degrees			

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.

ILLUSTRATION 4.3.12.C-3 PARKING AREA / LOT
OR BUILDING SITE LANDSCAPING

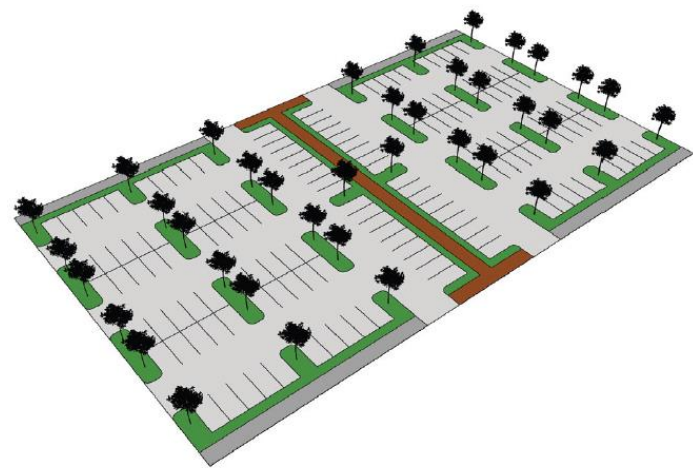


TABLE 4.3.12.H (STACKING SPACES)

Activity Type	Min. # of 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	Pickup Window
Valet Parking	3	Valet Stand
*Other as determined by Zoning Administrator in consideration of approved study prepared by a registered engineer with expertise in Transportation Engineering		

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS TABLES & ILLUSTRATIONS

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 4,00 sq. ft. gross floor area
Medical Uses	
All Uses	None Required
Commercial/ Retail/ Professional & Service Uses	
All Uses	1 space per 4,00 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 Uses	
All Uses	None Required

TABLE 4.3.14.B LOADING SPACE REQUIREMENTS

Principal Use Category in District	Quantity of Use	# of Loading Spaces	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 each Additional 90,000sf	
Other	N/A	<u>N/A</u>	N/A

TABLE 4.3.16.D-1 (NATIVE PLANTS OF THE TENNESSE 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
Bur Oak	Q. Marcocarpa
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
Cumcumbertree	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 Stryaciflua
Green Ash	Fraxinus Pennsylvanica
Sycamore	Platanus Occcidental
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

TABLE 4.3.16.D-1 (NATIVE PLANTS OF THE TENNESSE VALLEY)

Common Name	Botanical Name
Accent Trees	
Alder	Alnus Serrulata
Red Buckeye	Aesculus Pavia
Allegheny Chinkapin	Castanea Pumila
Redbud	Cercis Canadensis
American Holly	Ilex Opaca
Serviceberry	Amelanchier Aborea
Buckthorn Bumelia	Bumelia Lyciodes
Shining Sumac	Rhus Copallina
Smoketree	Continus Obovatus
Devil's Walking Stick	Aralia Spinosa
Smooth Sumac	Rhus Galbra
Dogwood	Cornus Florida
Snowbell	Styrax Spp.
False Indigo	Amorpha Fruticosa
Sourwood	Oxydendron Arboreum
Fringetree	Chionanthus Virginicus
Staghorn Sumac	Rhus Typhina
Hawthorn	Crateagus Spp.
Striped Maple	Acer Pennsylvanicum
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
Carolina Buckthorn	Rhamnus Caroliniana

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS TABLES & ILLUSTRATIONS

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

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 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.

TABLE 4.3.17.B (PRIVATE LIGHT STANDARDS)

District	Min./Max. Lighting Level at Frontage Line
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

ARTICLE 4:
BUILDING, LOT & BUILDING SITE STANDARDS

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SECTION 4.2 PLAN REQUIRED.2

SECTION 4.3 BUILDING, LOT & BUILDING SITE STANDARDS2

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.

Field Code Changed

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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(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).
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.
- ~~b.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.~~

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, except as provided in Tables 4.3.1-A - 4.3.1-U (District Standards).

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.

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

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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. – 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 law requiring liability for negligent or willful acts and omissions.
9. 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.

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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 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. 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.
3. Principal Building Facades shall be articulated as shown in (See **Illustration 4.3.5.A-3**).

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ILLUSTRATION 4.3.5.A-3 (FACADE ARTICULATION)

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)**.

ARTICLE 4: BUILDING, LOT & BUILDING SITE 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.

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ILLUSTRATION 4.3.5.D-1 (ROOF TYPES)

ILLUSTRATION 4.3.5.D-2 (ROOF PITCH)

4.3.6 Fences & Walls

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.

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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)**.

ARTICLE 4: BUILDING, LOT & BUILDING SITE 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.

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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

be no harmful impact to adjacent property owners or the public

3. 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.
4. 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.

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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 Summary) Table 4.3.7B (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)

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-on~~ each Development Parcel District is further regulated under Section 5.1.10.

TABLE 4.3.8.A PRINCIPAL BUILDING TYPES – SUMMARY

TABLE 4.3.8.B

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

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

limitations pursuant to Section 4.3.9.E and Table 4.3.9.A-3 (Temporary Uses).

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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).
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.

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,

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

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.

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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.

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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

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

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C.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.

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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.

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D.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.~~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.

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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. 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.
- (6) The Accessory Dwelling must share ownership and utility connections with the primary dwelling.

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- 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:
- (5) Barns, feedLot or Building Sites, pens, and stockyards may be permitted in accordance with the applicable Use Table, subject to the following:
 - (6) Barns, feedLot or Building Sites, pens and stockyards shall require a minimum separation of 200 feet from all property lines.
 - (7) 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;

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

- (8) 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.

- (9) 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) 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: ↗~~

- ~~(2)(1)~~ Within the CD-2, CD-3L, and CD-3 District n~~A~~ No more than three (3) Duplex Buildings (each Duplex Building containing two Dwellings) may be located on any Block Face.

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

~~(3)~~(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.

~~(4)~~(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.

~~(5)~~(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:

(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;

~~(6)~~(d) Parking Lots and Parking Areas are permitted in accordance with 4.3.9.E.6.ag and 4.3.12.

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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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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**.

g-h. 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-i. 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.
- (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.

h-j. 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.

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- (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.k. **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, vibration and other particulate matter in order to meet the performance standards as set out in this Ordinance.

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- (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.

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;

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;

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.

4-l. 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.

4-m. Food Truck Courts shall be permitted as a Principal Use on any Lot or Building Site in accordance with Table 4.3.9.A-1, subject to the following:

- (1) Approval of a Development Plan pursuant to Section 8.5.6. As part of the Development Plan application, the Zoning Administrator shall review the items listed below and may request review by other City of Columbia officials.
- (2) Each Food Truck operating within a Food Truck Court must hold a current Mobile Vending permit from the City of Columbia.

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- (3) A designated manager must be responsible for the orderly organization of the site, the cleanliness of the site, and compliance with all City of Columbia regulations.
- (4) The Food Truck Court must be kept clear of litter and debris at all times.
- (5) Waste receptacles must be provided on site during all hours of operation.
- (6) At least 30 percent of the lot or building site area must be shared common area not utilized for Food Truck stalls or parking.
- (7) The common area shall be designed for customer use and must include designated seating for patrons.
- (8) Electrical service must be provided on-site.
- (9) Food Truck Courts on lots or building sites greater than or equal to 0.50 acres in area must provide on-site accessible restroom facilities available for both customers and employees within a permanent structure.
- (10) Food Truck Courts on lots or building sites less than 0.50 acres in area must either provide
 - (a) on-site accessible restroom facilities; or
 - (b) a written agreement granting use of restrooms within 300 feet of the Food Truck Court for customers and employees during hours of operation.
- (11) Temporary or portable toilet facilities are not permitted.
- (12) Each Food Truck shall occupy a designated Food Truck Stall.
- (13) Food Truck stalls shall conform to the dimensional standards of a parallel parking stall in Table 4.3.12.C-1 and to the off-street parking surface requirements of the applicable Character District or Special District.
- (14) There shall be at least ten feet of unobstructed clearance between each Food Truck.
- (15) Food, drink, and other merchandise must be sold directly from Food Trucks or other Mobile Vending Apparatuses.
- (16) Except in Character District CD-5, the sale of alcohol in a Food Truck Court is prohibited.
- (17) Food Truck Courts with more than five Food Truck stalls must utilize a single point of sale system associated with a business entity with a situs and current business license and in the City of Columbia.
- (18) Required parking shall be provided
 - (a) as described at § 4.3.12.B.3;

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- (b) on another lot or building site within 1,320 feet of the Food Truck Court by parking agreement or easement, provided the principal use on the shared site shall maintain minimum required parking;
 - (c) On street space within 1,320 feet of the Food Truck Court; or
 - (d) a combination of a -c above.
- (19) The Food Truck Court operator shall provide a detailed operating plan which includes:
- (a) The maximum number of Food Trucks that can operate on the site at one time;
 - (b) A copy of the rules of operation to which Food Trucks operating on the site must adhere;
 - (c) A plan for the appropriate disposal of fats, oils, and grease which prevents release into the city sanitary sewer;
 - (d) Hours of operation of the Food Truck Court;
 - (e) Contact information for the designated manager;
 - (f) An explanation of how required parking will be provided; and
 - (g) An explanation of how required restroom facilities will be provided.
- (20) The Food Truck Court operator shall provide a plot or building site plan which depicts:
- (a) The exact location of each Food Truck stall;
 - (b) The location of all permanent structures on the property;
 - (c) Access, ingress, egress, and interior vehicular and pedestrian circulation;
 - (d) The location of any on-site parking;
 - (e) The location of landscaping;
 - (f) The location of all seating areas, trash receptacles and other movable and permanent physical elements of the Food Truck Court; and
 - (g) All other information deemed necessary by the Zoning Administrator.

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.

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- (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;
 - (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.

g-p 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.

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g-p 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

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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.

P-Q. 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.

R-T. 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.

F-S. 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.

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- (3) Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.

5-t. 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.

6-u. 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.

6-v. 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 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.

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- (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 involves a change in activities in existing Structures. The Development Plan shall provide for compensating

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features to offset any potentially adverse conditions that might be brought about by said modification to the requirements.

~~W-X~~ **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.

~~W-X~~ **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.

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- (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 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.

***v. 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.
 - (a) 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:
 - (b) An evergreen hedge which is at least 24 inches in height; or
 - (c) Plantings which meet the requirements for plantings under Section 4.3.9.D.6.y(5).
- (3) Storage and repair activities shall be screened from off-site views.

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- (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.

~~4.3.2.~~ **Mobile Vending** shall be permitted in accordance with TABLE 4.3.9.A-3, subject to the following:

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- (1) Issuance of a Temporary Use Permit pursuant to Section 8.5.9.
- (2) All Mobile Vending shall be subject to the following requirements and limitations:
 - (a) Access, ingress, egress, and interior vehicular or pedestrian circulation at the vending location shall not be impeded.
 - (b) Mobile vendors may not obstruct corner or driveway sight triangles depicted in Tables 4.3.3.G.1 and 4.3.3.G.2.
 - (c) The primary use on site shall maintain an adequate parking supply.
 - (d) upon request of the Zoning Administrator or the Columbia Police Department the Mobile Vendor shall provide a written and signed agreement from the property owner, or owner's authorized agent, granting permission for the temporary use of the property, which shall include a provision for the usage of onsite 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 on a hard surface conforming to Section 4.3.12.C-7 or on properties with existing non-conforming parking areas with an approved driveway entrance.
 - (h) With the exception of Food Trucks, mobile vendors shall not remain on a single site for more than four (4) consecutive days.
 - (i) Food Trucks and shall remain movable at all times and may not be permanently secured to the site; upon request of the Zoning Administrator, each operator of a Food Truck must show current registration to operate the apparatus on public roads and demonstrate that the apparatus is movable.
 - (j) Mobile vendors must dispose of fats, oils, and grease appropriately and may not connect to city sanitary sewer.
 - (k) Any Mobile Vendor serving alcohol must be licensed by the Tennessee Alcoholic Beverage Commission and must comply with all regulations related to the sale of alcohol. Restroom facilities required for employees.

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- (l) Mobile Vendors operating at a location for a duration of more than four hours must have a written agreement, available upon request by the Zoning Administrator or the City of Columbia Police Department, that permits employees to have access to a restroom no more than 300 feet from the vending location during all the hours of operation.
- (3) Within Character District CD-5, Food Trucks and Pushcarts may be permitted to set up for service or to conduct business in the public right of way under the following criteria:
 - (a) Mobile Vending locations shall be limited to street segments designated as appropriate for Mobile Vending by the Zoning Administrator; the Zoning Administrator shall create a map of street segments designated for mobile vending at least quarterly; Mobile Vendors who set up for service in the right of way must verify allowable vending locations;
 - (b) Hours of operation shall be limited to 7:00 am to 10:00 pm;
 - (c) Only one parking space shall be occupied;
 - (d) Such Food Truck shall be removed from the parking space each day; no Food Truck may remain in the public rights of way for more than six (6) consecutive hours;
 - (e) Mobile Vendors shall not reserve, obstruct, or otherwise limit the use of parking spaces while not actually occupying the space;
 - (f) The Zoning Administrator, the Department of Public Works, or the City of Columbia Police Department may direct the Mobile Vendor to vacate the right of way at any time, the Mobile Vendor must immediately comply with directions to leave a parking space;
 - (g) The mobile vendor shall clearly identify the mobile vending area with traffic cones or similar device.
- (4) Within CIVIC Districts, Food Trucks may be permitted to set up for service or to conduct business under the following criteria:
 - (a) The Mobile Vendor holds a current Mobile Vending Permit
 - (b) The City of Columbia, or a person or organization that has entered into a use agreement with the City of Columbia, has invited the Mobile Vendor to cater a community event;
 - (c) The serving window of the Food Truck must face away from any right of way; and
 - (d) The mobile vendor shall clearly identify the mobile vending area with traffic cones or similar device.
- (5) Except as set forth in Section 4.3.9.D.6.x(3) 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 and Canteen Truck operations, shall not be permitted to set up for service or to conduct business on any public right-of-Way.

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- (6) 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(5), 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.
- (7) A canteen truck with a current mobile food vending permit may operate on private property or from the right of way adjacent to a construction site with an active building permit in order to cater to on-site workers: between the hours of 6:00 a.m. and 6:00 p.m. on week days; a Canteen Truck may not remain on any one site for more than one (1) hour each day; the serving window of the Canteen Truck must face private property.
- (8) An Ice Cream Truck with a current mobile food vending permit may operate on private property or from the right of way; an Ice Cream Truck may not remain at any one location for more than 15 minutes before relocating to another location not less than one-quarter mile from the previous location; the serving window of the Ice Cream Truck must face private property.
- (9) The Zoning Administrator may revoke the annual temporary use permit found to be in violation of any provision of this Ordinance.

4-3a. 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.
- (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.

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- aa. **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.
 - (c) The provisions of Section 4.3.9.D.6.a shall not apply.
- ab. **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.
- ac. **On-Street Vending** shall be permitted in accordance with the applicable Use Table, subject to the following:
- (2) Issuance of a Temporary Use Permit pursuant to Section 8.5.9.
- ad. **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.
- ae. **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.
- af. **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.
- ag. **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 continuous evergreen hedgerow of at least 24 inches and fence no more than ~~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.
 - (3) Compliance with all other applicable provisions of this Code related to Parking Lots.
- ah. **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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

- (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.
- ai. **Short-Term Rental Units** shall be permitted in accordance 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 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.
- aj. **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.
- ak. **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.
- al. **Utility Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

- (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.

am. **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.

an. **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 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;

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- (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 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

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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.

ao. **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.
- (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

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permitted to enter the stormwater collection system.

- (5) Any additional conditions imposed during the Heavy Manufacturing Permit or Conditional Use Permit process.

E.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.

F.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.

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

G.H. Temporary Uses

5. 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.
6. 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.
7. 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.
8. 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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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**.

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.

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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:

I. Modification

- 1. The Lot/Building Site/Parcel Buffer requirement at 4.3.11.H. 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
 - (d) site conditions render the required buffer ineffective.

3-2. The applicant may appeal the Zoning Administrator's determination as described in 8.5.17.

ILLUSTRATION 4.3.11.H-2 BUFFER

4.3.12 Parking

A. General.

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

TABLE 4.3.12.B-1 VEHICULAR PARKING REQUIREMENTS

4. Exemptions

- (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;

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

(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.

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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.

TABLE 4.3.12.B-2 (SHARED PARKING FACTOR)

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7.8. 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.

8.9. 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.

9.10. 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.

10.11. One out of every eight required handicapped accessible spaces shall be van-accessible. A minimum of one van-accessible space shall be provided.

11.12. 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)

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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)

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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 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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 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 at least one pedestrian walkway bisecting the Parking Area or Parking Lot and connecting to adjoining sidewalks of a minimum width of

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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

- I. 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 with 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.

Commented [KM15]: Add language here and in 1.22 regarding modification of parking areas based on trigger of X. Look to 3638 language.

D. Operation & Maintenance.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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). 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

2. Parking of buses on the site of and directly associated with a permitted Non-Residential Use 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

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.

Commented [KM16]: Drive through illustration goes here.

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:
Table 4.3.12.H (Stacking Spaces)
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 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.

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

- 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.

4.3.13 Bicycle Parking

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.
5. Bicycle parking areas shall be separated from automobile parking and circulation areas by a physical barrier or a distance of feet.

Table 4.3.13 (Bicycle Parking)

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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)

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.

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.
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 space 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.

Commented [KM20]: Seems like this should be in a numbered suboagraph.

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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

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)**.

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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.

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ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.
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.

Commented [KM23]: none of the following but just one item. Why not "walls and trees...may not be removed without prior approval"?

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

Commented [KM24]: Native Plants table goes here.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.

TABLE 4.3.16.D-2

Commented [KM25]: Genera mix of trees.

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 listed in Table 4.3.16.D-1 (Native Plants of the Tennessee Valley) and shrubs 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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

Commented [KM26]: List formatting doesn't make sense. Why not combine into single paragraph?

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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;
 - 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:
 - 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;
 - (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 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:

ARTICLE 4: BUILDING, LOT & BUILDING SITE 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~~, 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.~~
- (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 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.

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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~~guarantees 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 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

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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.~~

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 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.

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

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)

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 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.

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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).

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.

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)

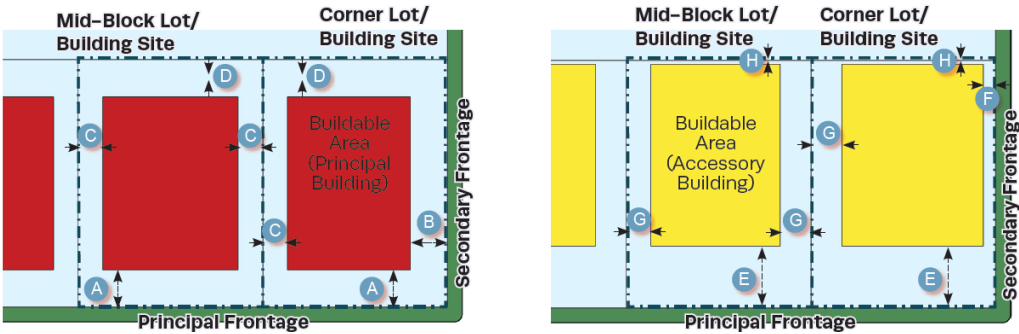
Permitted Uses

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).
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Number of Buildings

Principal Building	1 max
Accessory Buildings	2 max

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 sp. 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 Footage	30 ft. min. A
Front Setback/ Yard Secondary Frontage	30 ft. min. B
Side Setback/ Yard Each side	20 ft. min. 30 ft. min, or 15 ft min C
Rear Setback	From center line of Alley D
Setbacks / 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

CD-2	TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT
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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 Each Principal Building must have an identifiable Base, Middle, & Cap
Finished Floor Level	NR

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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 NR
Blank Walls	NP
Porch Frontages	Min. 6 ft. clear depth, excluding rails, pillars, columns or other features

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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).

**CD-2 TABLE 4.3.1-A DISTRICT STANDARDS:
RURAL CHARACTER DISTRICT**

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 2 nd 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 <u>brick, or natural stone, or stucco except renovations and minor expansions of existing structures may match current material, or absence of cladding.</u>			
Porch Pier Cladding	Required; brick or natural stone, with any space under Porch concealed by painted or stained latticework between piers, <u>except renovations and minor expansions of existing structures, pier cladding, or absence of cladding, may match current material.</u>			
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

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 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	NP

CD-2	TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT
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All Other Vehicles	NP	NP in 3rd Layer only, and in Driveway
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Additional Parking Requirements	
Off-Street Parking Surface	P Prepared surface of gravel, asphalt, concrete, or other hard surface
Garage Location	In 2 nd or 3 rd Layer only; Min interior dimensions 10 ft. x 20 ft. per vehicle Parking space
Garage Design	If Garage faces Street in 1 st or 2 nd 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 1 st 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
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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 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	N/A
Drive- Through Locations	N/A

Non-Building Components			
	1 st Layer	2 nd Layer	3 rd 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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd 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)

CD-2	TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT
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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 **Required**
or Uses

Locations of Retaining Walls P within required Yards, per Section 4.3.10
If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-2	TABLE 4.3.1-A DISTRICT STANDARDS: RURAL CHARACTER DISTRICT
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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

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	2 nd Layer Section 4.3.11.H Section 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3L **TABLE 4.3.1-B DISTRICT STANDARDS**
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT



General Description

The CD-3L Neighborhood Large Lot Character District consist 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 deep front Setback and medium to wide side Setbacks. Its Thoroughfares and Internal Drives have curbs and may include Sidewalks, and/or street tress, and form medium to large blocks. CD-3L is an appropriate District for the Suburban Neighborhoods future land use Character Area described in the Comprehensive plan.

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 Unit 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)			

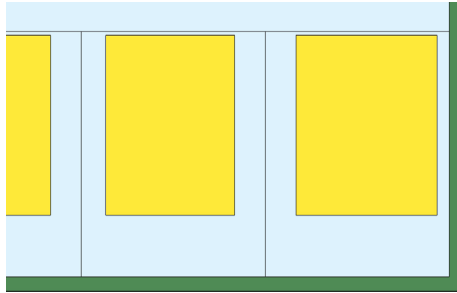
Civic Space Types*			
		*Applicable only to Development Parcels.	
Natural Area	P	Playground	P
Green	P	Sport Field	P
Square	NP	Community Garden	P
Plaza	NP	Pocket Park	P

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	
Principal Building	1 max
Accessory Buildings	2 max

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 $\leq 20\%$ 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 or Internal drive 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 Secondary Frontage	20 ft.min + Principal Building Front Setback/ Yard E
Side Setback/ Yard Each side	30 ft. min F
	10 ft. min G
Rear Setback	30 ft. min, or 15 ft min From centerline of rear alley D
	5 ft. min, or 15ft. min From centerline of rear alley H

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/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

Ceiling Height

NR

Building Composition

Vertical Composition **NR** ~~Each Principal Building must have an identifiable Base, Middle, & Cap~~

Finished Floor Level **NR**

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages, located no further than 50% of 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 NR
Blank Walls	NP at Frontage
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 NR
Façade Glazing	Except House Building Types, 20% – 60% of total Façade area NR
Window Shape	Except House Building Types, square or vertical in proportion, except transoms NR
Window Alignment	Except House Building Types, upper floor windows and other features must be aligned with those of first floor NR
Window Types	Except House Building Types, and except for transoms and sidelights, Windows in Façade and 1st & 2nd Layers must be single hung, double hung, casement or awning types NR
Window Glazing Material	Except House Building Types, clear glass is Required for all Elevations NR
Window Trim in 1 st 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 NR
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 NR
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

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CD-3L	TABLE 4.3.1-B DISTRICT STANDARDS: NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT
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CD-3L	TABLE 4.3.1-B DISTRICT STANDARDS: NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT
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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 roof 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 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 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 alongside Elevations through 2 nd 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	NR
Foundation Cladding	Required; brick or natural stone 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	Required; 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.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

CD-3L **TABLE 4.3.1-B DISTRICT STANDARDS:**
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

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).

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 3 rd layer only, and in Driveway	
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway	
Heavy Equipment	NP	P in 3 rd 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	NP in 3rd Layer only, and in Driveway	

Additional Parking Requirements	
Off-Street Parking Surface	P Prepared surface of gravel , asphalt, concrete, or another hard surface <u>for 30 feet from Thoroughfare or Internal Drive, gravel permitted for any remaining depth of driveway.</u>

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Garage Location	P In 2 nd or 3 rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space If Garage faces Street in 1 st or 2 nd layer: max. Garage door width 33% of total Garage + Façade width
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 – 20 ft. in 1 st Layer
Parking Structure	NP
Parking Structure Pedestrian Exit Location	N/A

CD-3L

TABLE 4.3.1-B DISTRICT STANDARDS:
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

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

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CD-3L

TABLE 4.3.1-B DISTRICT STANDARDS:
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

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Loading & Access	
Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	N/A
Drive- Through Locations	N/A

Non-Building Components

	1 st Layer	2 nd Layer	3 rd 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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	P	P
Animals 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)

**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; with one (1) tree min per 50 ft. of Frontage and continuous shrubs around foundation at 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 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	Required
Locations of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-3L

TABLE 4.3.1-B DISTRICT STANDARDS:
NEIGHBORHOOD LARGE LOT CHARACTER DISTRICT

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

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	2 nd Layer Section 4.3.11.H Section 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-3 TABLE 4.3.1-C DISTRICT STANDARDS
NEIGHBORHOOD CHARACTER DISTRICT



General Description

The CD-3 Neighborhood Large Lot Character District consist of primarily medium density single-family detached Residential area in which House is the predominant Building type. It has medium to deep front Setback and medium to wide side Setbacks. Its Thoroughfares and Internal Drives have curbs and may include Sidewalks, and/or street tress, and form medium to large blocks. CD-3 is an appropriate District for the Suburban Neighborhoods future land use Character Area described in the Comprehensive plan; it is also appropriate for City Center Urban Village Future Land Use Character Area where the Planning Commission determines that is compatible with the established land use pattern in the surrounding area.



CD-3 TABLE 4.3.1-C DISTRICT STANDARDS:
NEIGHBORHOOD CHARACTER DISTRICT

Density / Floor Area Ratio (FAR)	*Applicable only to Development Parcels
4 Density Unit per acre max	

BLOCK SIZE*	*Applicable only to Development Parcels
Block Perimeter	2800 ft. max

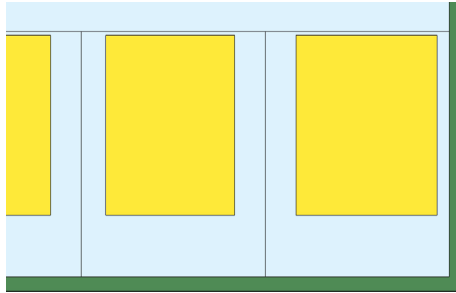
Private Frontage Types			
Common Yard	P	Stepfront	NP
Porch	P	Shopfront	NP
Fence	P	Gallery	NP
Terrace/Lightwell	NP	Arcade	NP
Forecourt	NP	Officefront	NP
Stoop	P		
See Table 4.3.7.A (Private Frontage Types)			

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	
Principal Building	1 max
Accessory Buildings	2 max

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 $\leq 20\%$ 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. The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.O.
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard	25 ft. min.	A	Front Setback/ Yard		
Principal Footage			Principal Frontage	20 ft.min behind Principal Building Frontage	E
Front Setback/ Yard					
Secondary Frontage	20 ft. min.	B			
Side Setback/ Yard			Front Setback/ Yard		
Each side	8 ft. min.	C	Secondary Frontage	20 40 ft. min	F
Rear Setback			Side Setback/ Yard		
	25 ft. min, or 15 ft min		Each side	5 ft. min	G
	From centerline of rear alley	D			

Rear Setback/ Yard 5 ft. min, or 15ft. min
From centerline of rear alley **H**

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/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *
*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to with the above cited codes shall be required. *

Ceiling Height

NR

Building Composition

Vertical Composition ~~NR Each Principal Building must have an identifiable Base, Middle, & Cap~~
Finished Floor Level **NR**

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Façade	
Main Entrance	Main Entrance must be in Façade of Principal Frontages, located no further than 50% of 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 NR
Blank Walls	NP at Frontage
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 NR
Façade Glazing	Except House Building Types, 20%—60% of total Façade area NR
Window Shape	Except House Building Types, square or vertical in proportion, except transoms NR
Window Alignment	Except House Building Types, upper floor windows and other features must be aligned with those of first floor NR
Window Types	Except House Building Types, and except for transoms and sidelights, Windows in Façade and 1st & 2nd Layers must be single hung, double hung, casement or awning types NR
Window Glazing Material	Except House Building Types, clear glass is Required for all Elevations NR
Window Trim in 1 st 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 NR
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 NR
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

CD-3	TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT

CD-3	TABLE 4.3.1-C DISTRICT STANDARDS: NEIGHBORHOOD CHARACTER DISTRICT
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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 roof 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 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 siding	P for Residential Use
	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 alongside Elevations through 2 nd 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	NR
Foundation Cladding	Required; brick or natural stone 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	Required; 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.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

CD-3 **TABLE 4.3.1-A DISTRICT STANDARDS:
NEIGHBORHOOD CHARACTER DISTRICT**

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).

CD-3 **TABLE 4.3.1-A DISTRICT STANDARDS:
NEIGHBORHOOD CHARACTER DISTRICT**

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd 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 3 rd Layer only, and in Driveway

Additional Parking Requirements

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Off-Street Parking Surface	P Prepared surface of gravel , asphalt, concrete, or another hard surface <u>for 100 feet from Thoroughfare or Internal Drive, gravel permitted for any remaining depth of driveway.</u>
Garage Location	P In 2 nd or 3 rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space If Garage faces Street in 1 st or 2 nd layer: max. Garage door width 33% of total Garage + Façade width
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	180 ft. max in 1 st Layer
Parking Structure	NP
Parking Structure Pedestrian Exit Location	N/A

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CD-3 **TABLE 4.3.1-A DISTRICT STANDARDS:**
NEIGHBORHOOD CHARACTER DISTRICT

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

CD-3 **TABLE 4.3.1-A DISTRICT STANDARDS:**
NEIGHBORHOOD CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd 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	P	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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	P	P
Animals 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)

CD-3

TABLE 4.3.1-A DISTRICT STANDARDS:
NEIGHBORHOOD CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

In compliance with Section 4.3.16; with one (1) tree min per 50 ft. of Frontage and continuous shrubs around foundation at 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 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	Required
Locations of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-3

TABLE 4.3.1-A DISTRICT STANDARDS:
NEIGHBORHOOD CHARACTER DISTRICT

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

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)
Thoroughfare from Non-Family Residential 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	2 nd Layer
Parcel Buffer	Section 4.3.11.H
Project Buffer	Section 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4

TABLE 4.3.1-D DISTRICT STANDARDS

GENERAL URBAN CHARACTER DISTRICT



General Description

The CD-4 General Urban Character District consist 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. Has Thoroughfares and Internal Drives with curbs, Sidewalks and tress that define medium-sized blocks. CD-4 is an appropriate District for the City Center Urban Village Future Land Use described in the Comprehensive Plan.



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

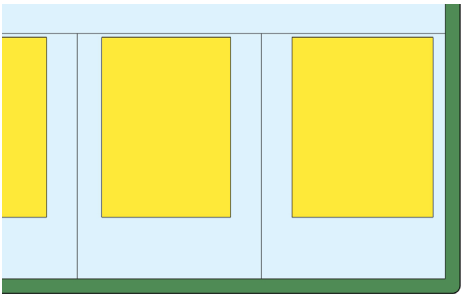
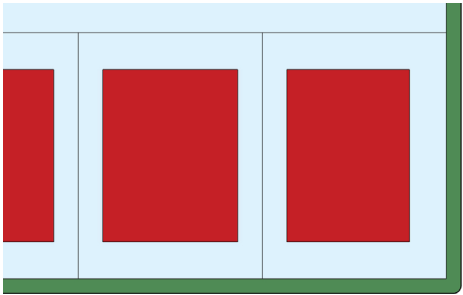
Private Frontage Types			
Common Yard	P	Stepfront	P
Porch	P	Shopfront	P
Fence	P	Gallery	P
Terrace/Lightwell	P	Arcade	NP
Forecourt	P	Officefront	P
Stoop	P		
See Table 4.3.7.A (Private Frontage Types)			

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	
Principal Building	1 max
Accessory Buildings	1 max

CD-4	TABLE 4.3.1-D DISTRICT STANDARDS: GENERAL URBAN CHARACTER DISTRICT
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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 x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit X 8max. attached Townhouse units All other Building Types: 18 ft. max All Building Types: 120 ft max
Frontage Buildout	60% min
Lot/ Building Site Area	NR
Impervious Surface Coverage	80% max
Lot/ Building Site Enfrontment	<u>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;</u> 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. <u>The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.O.</u>
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

CD-3 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / 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. - 20 ft. min.	B			
Side Setback/ Yard Each side	0 ft min between individual Townhouse Units & Duplex Units; otherwise 6ft min	C	Front Setback/ Yard Secondary Frontage	50 ft. min	F
			Side Setback/ Yard Each side	0 ft. min	G
Rear Setback	25 ft. min, or 15 ft min From centerline of rear alley	D	Rear Setback/ Yard	3 ft. min, or 5 ft. min From centerline of rear alley	H

CD-4

TABLE 4.3.1-D DISTRICT STANDARDS:

GENERAL URBAN CHARACTER DISTRICT

Building Standards	
Building Height*	
Principal Building	3 Stories max
Accessory Building	2 Stories max
*Stories/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *	
*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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 11ft. with a maximum of 25 ft. Shopfront Facade, which may not exceed 25ft.	

Building Composition	
Vertical Composition	Each Principal Building must have an identifiable Base, Middle & Cap
Finished Floor Level	If Residential: 18 ft., 48 in. max above average grade at Facade facade

CD-4

TABLE 4.3.1-D DISTRICT STANDARDS:

GENERAL URBAN CHARACTER DISTRICT

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may e at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade 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)
Façade Openings	Windows, and/or doors spaced $\leq$ 20 ft. apart In Stories above first Façade openings must be $\leq$ 50% of the total Façade area
Façade Glazing	20% - 60% of total ground floor Façade area
Window Shape	Square or vertical in proportion, except 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 Façade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st 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
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
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
Façade Variety	<u>Within a Development Parcel n</u> No Façade may exist more than once in a Block Face or within view of the same Façade

CD-4 ~~TABLE 4.3.1 D-DISTRICT STANDARDS:~~ GENERAL URBAN CHARACTER DISTRICT

Building Standards (continued)

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	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).

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TABLE 4.3.1-D DISTRICT STANDARDS:
GENERAL URBAN CHARACTER DISTRICT

Building Materials

Primary Building Material on Facades	Brick	P	Exposed concrete	NP
	Natural stone	P	Vinyl or Aluminum siding	NP
	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 alongside Elevations through 2 nd 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	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim
Foundation Cladding	Required; 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	Required; 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	Required; brick, natural stone, with material matching primary material of Façade

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).

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CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Vehicular Parking Requirements

Parking Location

	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd 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 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Asphalt, concrete, or another hard surface
Garage Location	P In 3 rd Layer only
Garage Design	Min. interior dimensions 10 ft. x 20 ft. per vehicle Parking space If Garage faces Street in 1 st or 2 nd layer: max. Garage door width 33% of total Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 ft. max in 1 st Layer if Residential; 36 ft. max in 1 st layer if non-Residential; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

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

CD-4 TABLE 4.3.1-D DISTRICT STANDARDS: GENERAL URBAN CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	NP	P
Animals 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)

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TABLE 4.3.1-D DISTRICT STANDARDS:
GENERAL URBAN CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

Required continuous shrubs around foundation at Frontage if 1st Layer ≥3ft. deep, plus if 1st Layer is ≥ 15ft. deep, 1 tree planted in 1st Layer every 50’ ft of Frontage. Drive aisles within 1st Layer, continuous shrubs Landscaping must comply with Section 4.3.16

Walls & Fencing

- Height4 ft max at Frontage, otherwise 6 ft max; height measured from avg. undisturbed grade of Adjacent property at property line
- ConstructionFinished side must face Adjacent property, Thoroughfare, Path, Passage or Waterbody
- MaintenanceMust 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 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

Required

Locations of Retaining Walls

P within required Yards, per Section 4.3.10
If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

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	3 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards	
Non-Residential & Multi-Family Residential Screen. Street-Screen Adjacent to or across Thoroughfare from Non-Family Residential	NR
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 and 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

2nd Layer

Parcel Buffer

Section 4.3.11.H

Project Buffer

Section 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-4C TABLE 4.3.1-E 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 parcels identified as Facilitate or Active on the Areas of Change map of the Comprehensive Plan, which have access onto a public right-of-way classified as principal arterial or minor arterial in the Transportation element of the Plan and are located in Suburban Neighborhoods and City Center Urban Village Future Land Use described in the Comprehensive Plan.



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

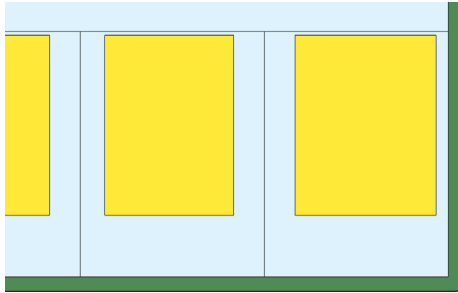
Private Frontage Types			
Common Yard	P	Stepfront	NP
Porch	P	Shopfront	P
Fence	P	Gallery	P
Terrace/Lightwell	P	Arcade	NP
Forecourt	P	Officefront	P
Stoop	P		
See Table 4.3.7.A (Private Frontage Types)			

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	
Principal Building	1 max
Accessory Buildings	1 max

CD-4C **TABLE 4.3.1-E 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 x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit x6max. 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. The Planning Commission may approve alternative enfrontment within a Development Parcel as described in 8.5.6.O
Lot/ Building Site Access	All lots must have legal and physical vehicular access to a vehicular Thoroughfare or Internal drive via Driveway or Easement.

CD-3C **TABLE 4.3.1-E DISTRICT STANDARDS:**
GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard Principal Footage	6 ft min; 40 ft max.; <u>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</u>	A	Front Setback/ Yard Principal Frontage	20 ft.min behind Principal Building Frontage; <u>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</u>	E
Front Setback/ Yard Secondary Frontage	6 ft. min - 40 ft. max.	B	Front Setback/ Yard Secondary Frontage	5 ft. min	F
Side Setback/ Yard Each side	0 ft min per side	C	Side Setback/ Yard Each side	5 ft. min	G
Rear Setback	3 ft. min, or 15 ft min From centerline of rear alley	D	Rear Setback/ Yard	3 ft. min, or 5 ft. min If Garage door faces Rear Alley	H

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/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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 11ft. with a maximum of 25 ft. Shopfront Facade, which may not exceed 25 ft.

Building Composition

Vertical Composition Each Principal Building must have an identifiable Base, Middle & Cap

Finished Floor Level **NR**

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage

Façade 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)
Façade Openings	Windows, and/or doors spaced $\leq$ 20 ft. apart In Stories above first Façade openings must be $\leq$ 50% of the total Façade area
Façade Glazing	Non-Shopfront: 20% - 60% of total <u>ground floor</u> Façade area for Shopfront: <u>min. 75% of total ground floor Façade area, min. 20% of total Façade area on upper floors and secondary elevations</u>
Window Shape	Square or vertical in proportion, except 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 Façade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st 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
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
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
Façade Variety	No Façade may exist more than once in a Block Face or within view of the same Façade
CD-4C TABLE 4.3.1-E DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT	

Building Standards (continued)	
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).

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:**
GENERAL URBAN CHARACTER DISTRICT

Building Materials

Primary Building Material on Facades	Brick	P	Authentic stucco over masonry	P
	Natural stone	P	Exposed concrete	NP
	Wood	P	Vinyl or Aluminum siding	NP
	Cementitious siding	P	Corrugated and/or sheet metal	NP

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd 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	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim
Foundation Cladding	Required; brick or natural stone 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	Required; 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.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

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).

CD-4C **TABLE 4.3.1-E DISTRICT STANDARDS:**
GENERAL URBAN CORRIDOR CHARACTER DISTRICT

CD-4 **TABLE 4.3.1-D DISTRICT STANDARDS:
GENERAL URBAN CHARACTER DISTRICT**

Vehicular Parking Requirements

Parking Location	On-Street Parking	Off-Street Parking
Domestic Vehicles	P	P in 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in 3 rd layer only, and in Driveway
All Other Vehicles	NP	P in 3 rd Layer only, and in Driveway; <u>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.</u>

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Additional Parking Requirements	
Off-Street Parking Surface	Prepared surface of asphalt, concrete, or another hard surface
Garage Location	P In 3 rd 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 Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	10 ft. max in 1 st Layer if Residential; 36 ft. max in 1 st layer if non-Residential; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings

Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage
<u>Pedestrian connections through to Adjacent Neighborhoods or Uses</u>	<u>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</u>

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

CD-4C TABLE 4.3.1-E DISTRICT STANDARDS: GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC 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 if coplanar to and integrated into roof design	P
Antennas & Satellite Equipment	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	NP	P
Animals 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
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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)

CD-4C

TABLE 4.3.1-E DISTRICT STANDARDS:
GENERAL URBAN CORRIDOR CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

Required continuous shrubs around foundation at Frontage if 1st Layer ≥ 3ft. deep, plus if 1st Layer is ≥ 15ft. deep, 1 tree planted in 1st Layer every 50’ ft of Frontage. Drive aisles within 1st Layer, continuous shrubs Landscaping must comply with Section 4.3.16

Walls & Fencing

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, 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 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
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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 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-4C

TABLE 4.3.1-E DISTRICT STANDARDS:
GENERAL URBAN CORRIDOR CHARACTER DISTRICT

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	3 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards

Non-Residential & Multi-Family Residential
Screen. Street-Screen Adjacent to or across
Thoroughfare from Non-Family Residential

NR

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	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.	
Required ; except at Driveways: Parking Lots and Parking Areas must be Screened	<u>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.</u>	Formatted: Indent: Left: 4"
Rooftop Antenna Screening and 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	2 nd Layer	
Parcel Buffer	Section 4.3.11.H	
Project Buffer	Section 5.8	

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

CD-5 TABLE 4.3.1-F DISTRICT STANDARDS
URBAN CENTER CHARACTER DISTRICT



General Description

The CD-5 Urban Center Character District consists of medium to higher density Mixed Use areas. It has a tight network of Thoroughfares and Internal Drives with Sidewalks, streetlights, and regular tree spacing, defining medium sized blocks. Buildings are set close to the Sidewalks. CD-5 is an appropriate District for the City Center Urban Village Future Land Use described in the Comprehensive Plan.

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	2000 ft. max or 3000 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)			

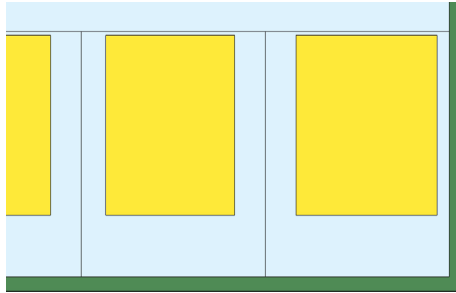
Civic Space Types*		*Applicable only to Development Parcels.	
Natural Area	NP	Playground	P
Green	NP	Sport Field	NP
Square	P	Community Garden	P
Plaza	P	Pocket Park	P

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	
Principal Building	1 max
Accessory Buildings	1 max

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER 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 x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit x6max. attached Townhouse units Large Scale Commercial: 600 ft max All other Building Types: 18 ft. min – 120 ft. max
Frontage Buildout	80% min except House and Duplex 60% 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 or Internal drive via Driveway or Easement.

Setbacks / Yards

Setbacks / Yards – Principal Building			Setbacks / Yards – Accessory Building		
Front Setback/ Yard	0 ft at corners; 0 ft min.	A	Front Setback/ Yard		
Principal Footage	15 ft max elsewhere		Principal Frontage	40 ft max from rear Property Line; except	E
Front Setback/ Yard					
Secondary Frontage	0 ft at corners, 0 ft min.	B	Side Setback/ Yard	3 ft max	F
	15 ft max elsewhere				
Side Setback/ Yard			Rear Setback/ Yard	3 ft min or 5 ft min if Garage door faces Alley	G
Each side	0 ft min; 24 ft max per side	C			
Rear Setback	NR	D			

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/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance stipulations made by the Fire Department in accordance to 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 11ft. 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 average grade at Façade

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade 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)
Façade Openings	Windows, and/or doors spaced $\leq$ 20 ft. apart In Stories above first Façade openings must be $\leq$ 50% of the total Façade area
Façade Glazing	Non-Shopfront: 20% - 60% of total ground level Façade area; for non-Shopfront, Shopfront: min 5-70% of total ground level Façade area, min. 20% of total Façade area on upper floors and secondary elevations for Shopfront
Window Shape	Square or vertical in proportion, except 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 Façade and 1st & 2nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Façade openings must be $\leq$ 50% of total Façade area.
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st 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
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
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 in a Block Face or within view of the same Facade
CD-5	TABLE 4.3.1-F DISTRICT STANDARDS
	URBAN CENTER CHARACTER DISTRICT

Building Standards (continued)	
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
	Wood	P	Vinyl or Aluminum siding NP
	Cementitious siding	P	Corrugated and/or sheet metal NP

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd 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	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim

Building Types			
House	P		Commercial P
	P		Mixed Use P
	P		Flex P
	P		Mid-Rise P
	P		Large Scale Commercial NP
	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).

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 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in 3 rd layer only, and in Driveway
All Other Vehicles	NP	P in 3 rd Layer only, and in Driveway

Additional Parking Requirements	
Off-Street Parking Surface	Prepared surface of asphalt, concrete, or another hard surface
Garage Location	P In 3 rd 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 Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	24 ft. max in 1 st Layer; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

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

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TABLE 4.3.1-F DISTRICT STANDARDS

URBAN CENTER CHARACTER DISTRICT

Loading & Access	
Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components			
	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	NP	P
Animals 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)

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER CHARACTER DISTRICT

Private Landscaping and Fencing

Landscaping

NA if paved or ≤ 3ft front Setback/ Yard; Otherwise, shrubs continuous around foundation at Façade. Landscaping must comply with Section 4.3.16

Walls & Fencing

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, 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 **Required**

Locations of Retaining Walls P within required Yards, per Section 4.3.10
If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-5 **TABLE 4.3.1-F DISTRICT STANDARDS**
URBAN CENTER CHARACTER DISTRICT

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	3 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards	
Non-Residential & Multi-Family Residential Screen. Street-Screen Adjacent to or across Thoroughfare from Non-Family Residential	NR
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 and 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	2 nd Layer Section 4.3.11.H Section 5.8

ARTICLE 4: BUILDING, LOT & BUILDING SITE STANDARDS

Commented [PK2]: No changes noted for CD-5C

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 medium to 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 Sidewalks. CD-5C is limited to parcels identified as Active on the Areas of Change map of the Comprehensive Plan which have access to a Principal Arterial identified in the Transportation Plan located in the City Center Urban Village Character Area described in the Comprehensive Plan.

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	2000 ft. max or 3000 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)

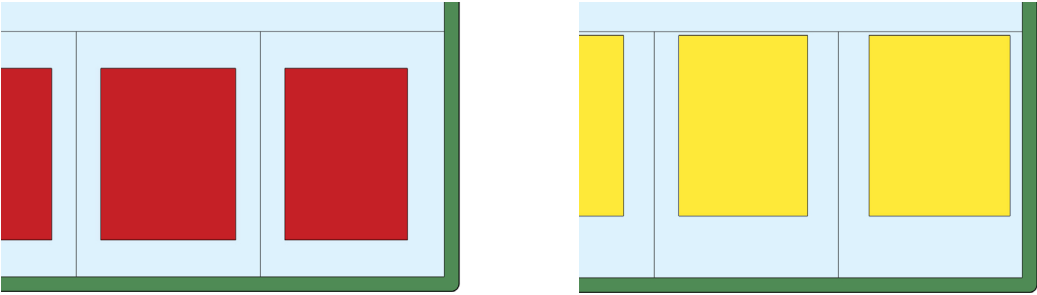
Permitted Uses

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

Principal Building	1 max
Accessory Buildings	1 max

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 x8 max. attached Townhouse units. For multiple Townhouses on a single Lot or Building Site 18-20 ft. per Townhouse unit x8 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 $\leq 20\%$ 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 or Internal drive via Driveway or Easement.

Setbacks / Yards	
Setbacks / Yards – Principal Building	
Front Setback/ Yard Principal Footage	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
Setbacks / 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 Alley G

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/ 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 stipulations made by the Fire Department in accordance with the above cited codes shall be required. *

*The Fire Department may stipulate special fire measures in accordance with National Fire Protection Association and International Building Code criteria as a condition of approval of such Structure. In such instance 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 11ft. 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 average grade at Façade

Façade

Main Entrance	Main Entrance must be in Façade of Principal Frontages. If Shop Frontage at corner Main Entrance may be at Principal Frontage, or at corner.
Façade Position	Parallel to straight Frontage Line or to tangent of curved Frontage Line
Façade & Façade Element Design Proportions	Must be vertically proportioned
Blank Walls	NP at Frontage
Façade 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)
Façade Openings	Windows, and/or doors spaced $\leq$ 20 ft. apart In Stories above first Façade openings must be $\leq$ 50% of the total Façade area
Façade Glazing	20% - 60% of total Façade area for non-Shopfront; 70% of total Façade area, min. for Shopfront
Window Shape	Square or vertical in proportion, except 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 Façade and 1 st & 2 nd Layers must be single-hung, double-hung, casement or awning types. In Stories above first, Façade openings must be $\leq$ 50% of total Façade area.
Window Glazing Material	Clear glass is Required for all Elevations
Window Trim in 1 st 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
Façade Window Sill Height	If Residential, 5 ft. min above average grade at Façade
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
Façade Variety	No Façade may exist more than once in a Block Face or within view of the same Façade

CD-5C	TABLE 4.3.1-G DISTRICT STANDARDS URBAN CENTER CORRIDOR CHARACTER DISTRICT
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Building Standards (continued)	
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
	Wood	P	Vinyl or Aluminum siding NP
	Cementitious siding	P	Corrugated and/or sheet metal NP

Changes in Building Materials	Primary materials must continue alongside Elevations through 2 nd 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	Up to three (3) colors, including the natural color of any allowed materials, but not excluding trim
Foundation Cladding	Required; brick or natural stone 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	Required; brick or natural stone 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.
Chimney Cladding	Required; brick, natural stone, with material matching primary material of Façade

Building Types			
House	NP	Commercial	P
	NP	Mixed Use	P
Duplex	NP	Flex	P
Townhouse	P	Mid-Rise	P
Small Multifamily	P	Large Scale Commercial	P
Large Multifamily	P	Civic	P
Live/Work	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).

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 3 rd layer only, and in Driveway
Recreational Vehicles	NP	P in 3 rd layer only, and in Driveway
Heavy Equipment	NP	P in 3 rd layer only, and in Driveway
Tractor trailers (including trailers for storage)	NP on-Street, except for delivery and Temporary Use of trailers	P in 3 rd layer only, and in Driveway
All Other Vehicles	NP	P in 3 rd Layer only, and in Driveway

Additional Parking Requirements

Off-Street Parking Surface	Prepared surface of asphalt, concrete, or another hard surface
Garage Location	P In 3 rd 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 Garage + Façade width Garage must be detailed, finished, & designed like the rest of the Building with carriage house doors; max. Garage door width 9ft; each Garage door must have ornamental lighting fixture above it; min 2ft separation between Garage doors.
Driveway/ Vehicular Entrance Location	P in any Layer
Driveway/ Vehicular Entrance Maximum Width	24 ft. max in 1 st Layer; regardless if shared or not.
Parking Structure	P if Screen from Frontage by Liner Buildings
Parking Structure Pedestrian Exit Location	Via pedestrian access to Frontage

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

CD-5C **TABLE 4.3.1-G DISTRICT STANDARDS**
URBAN CENTER CORRIDOR CHARACTER DISTRICT

Loading & Access

Off-Street Loading and Storage	P in 3 rd Layer only
Utility Box & Service Meter* Locations (*Not including water meters)	P in 3 rd Layer only
Off-Street Trash Receptacle Locations	P in 3 rd Layer only
Off-Street Dumpster Locations	P in 3 rd Layer only
Drive- Through Locations	P in 3 rd Layer only

Non-Building Components

	1 st Layer	2 nd Layer	3 rd Layer
HVAC Equipment, Utility, Service and Mechanical Equipment	NP	P if Screened from Frontage	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 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P in 1 st or 2 nd Layer if such Layer is only possible location for satisfactory reception	P
Recreation or Paly Equipment	NP	NP	P
Animals 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)

CD-5C	TABLE 4.3.1-G DISTRICT STANDARDS URBAN CENTER CORRIDOR CHARACTER DISTRICT
-------	--

Private Landscaping and Fencing
Landscaping

NA if paved or ≤ 3ft front Setback/ Yard; Otherwise, shrubs continuous around foundation at Façade. Landscaping must comply with Section 4.3.16

Walls & Fencing

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, 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	Required
Locations of Retaining Walls	P within required Yards, per Section 4.3.10 If supporting grade 8 ft. or higher than property line, must be set back 10 ft. from property line

CD-5C

TABLE 4.3.1-G DISTRICT STANDARDS
URBAN CENTER CORRIDOR CHARACTER DISTRICT

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	3.5 ft. to 5 ft.	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	3 ft. to 5 ft 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

Additional Standards

Non-Residential & Multi-Family Residential Screen. Street-Screen Adjacent to or across Thoroughfare from Non-Family Residential	NR
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 and 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	2 nd Layer Section 4.3.11.H Section 5.8



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 ~~striketrough~~ 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.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: 1ST CONSIDERATION ON ORDINANCE NO. 4517 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING DEVELOPMENT PARCEL STANDARDS IN ARTICLE 5 BY REPEALING AND REPLACING SUCH ARTICLE 5 WITH A NEW ARTICLE 5 DEVELOPMENT PARCEL STANDARDS

RECOMMENDATION: Approve Ordinance 4517 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 5: Development Parcel Standards, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance 4517, Exhibit A, Marked Changes "A", DS Staff Report.

**AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING
THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE
REGARDING DEVELOPMENT PARCEL STANDARDS IN ARTICLE 5 BY
REPEALING AND REPLACING SUCH ARTICLE 5 WITH A NEW ARTICLE 5
DEVELOPMENT PARCEL STANDARDS**

WHEREAS, Section §13-7-201 of the Tennessee Code Annotated empowers the city to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals and general welfare of the city to enact such an ordinance; and

WHEREAS, the City Council, pursuant to the provisions of Section §13-4-101 of the Tennessee Code Annotated has appointed a Planning Commission to recommend the appropriate regulations to be enforced therein; and

WHEREAS, on the 5th day of June 2024, the Planning Commission reviewed and recommended specific changes in accordance to Section 8.5.18, to the Zoning Ordinance regarding Development Parcel Standards in Article 5. As a result, Article 5 is being repealed in its entirety and replaced with a new Article 5 which is attached hereto as Exhibit "A" and incorporated herein by reference. Said recommendations are being considered after a public hearing held on the 8th day of August, 2024, notice of which was published in the Daily Herald of Columbia fifteen (15) days or more prior to said meeting; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That Ordinance Number 4400, the same being the Zoning Ordinance of the City of Columbia, Tennessee is hereby amended by repealing and deleting Article 5 in its entirety and replacing such Article with a new Article 5, Development Parcel Standards, which is attached hereto as Exhibit "A" and incorporated herein by reference;

Section 2: That the City Council satisfies the requirements of Section 8.5.18.J.4, by making specific findings as to the following:

- 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.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
COLUMBIA, TENNESSEE, this the 12th day of September, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY -- CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration: _____

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, of any Lot, Building Site, or other parcel of land;

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;

D. USE.

Use of any Structure, Lot, Building Site, or other parcel of land;

E. APPLICATIONS AND ACTIONS.

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.

5.1.4 PEDESTRIAN SHEDS.

A. PARCEL TO BE BASED ON PEDESTRIAN SHED.

Each Development Parcel 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.

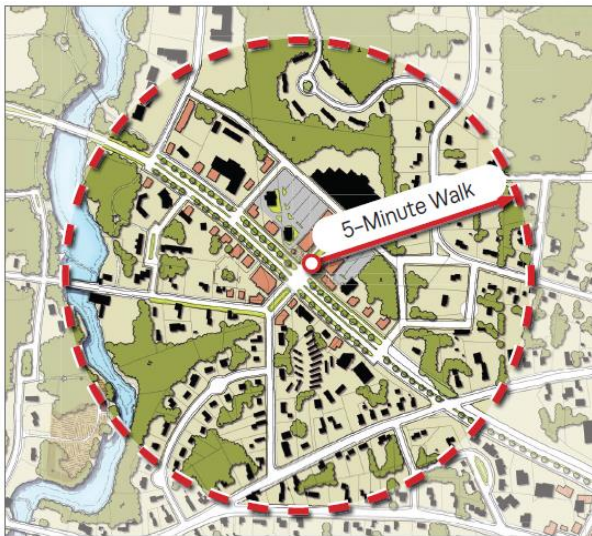
B. COMMON DESTINATION.

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)**.

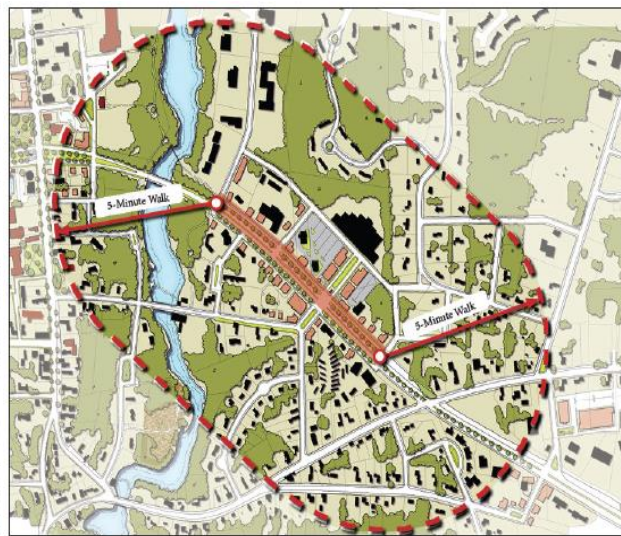
C. PARCEL / SITE SIZE RELATIVE TO PEDESTRIAN SHED SIZE.

A Development Parcel and the overall plan may be smaller or larger than the Pedestrian Shed within which it is situated.

**ILLUSTRATION 5.1.4.B-1
STANDARD PEDESTRIAN SHED**



**ILLUSTRATION 5.1.4.B-2
LINEAR PEDESTRIAN SHED**



5.1.5 THOROUGHFARE / INTERNAL DRIVE NETWORK.

The Thoroughfare and Internal Drive network shall be laid out according to Section 5.2.

5.1.6 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)**.

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

5.1.7 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 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

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:

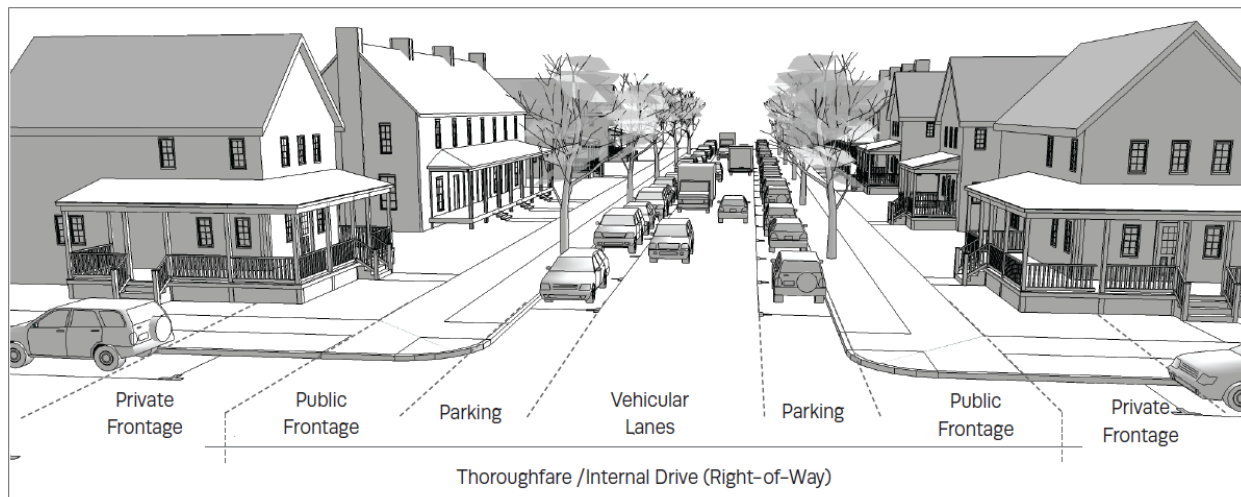
A. ACCESS.

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.

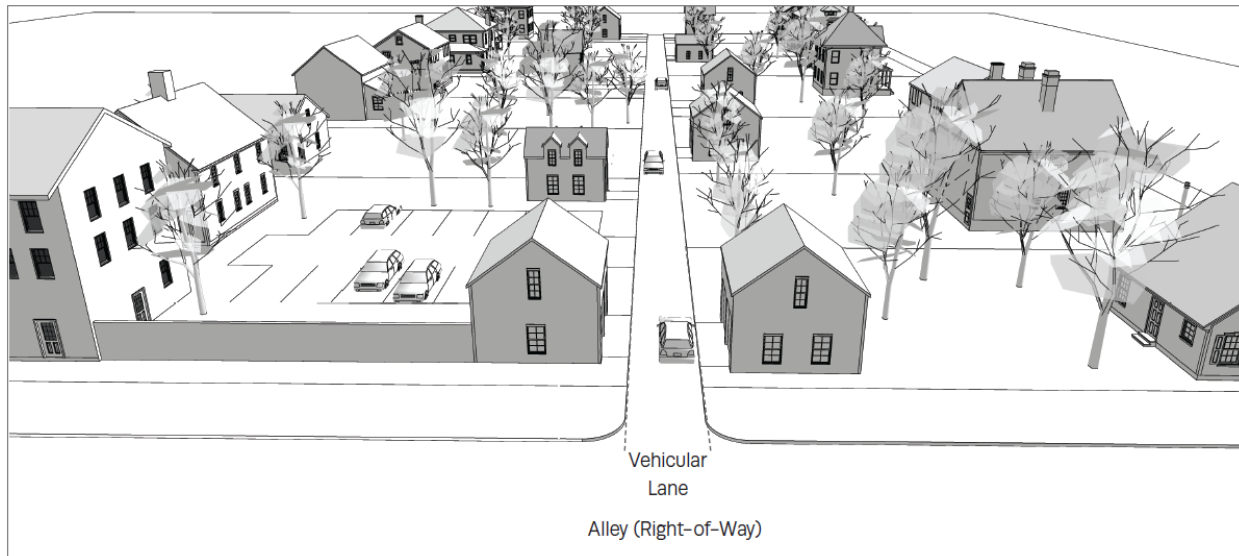
1. Each Thoroughfare and Internal Drive shall consist of Public Frontage, Vehicular Travel Lanes and any required Vehicular Parking Lanes, any allowed Loading Spaces, and any required Bicycle Accommodations. See **Illustration 5.2.2.B-1 (Thoroughfare / Internal Drive Components)** and details shown in the Engineering Standards & Specifications.

ILLUSTRATION 5.2.2.B-1 THOROUGHFARE / INTERNAL DRIVE COMPONENTS



2. Each Alley shall consist of the elements shown in the Engineering Standards & Specifications.

ILLUSTRATION 5.2.2.B-2 ALLEY COMPONENTS



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. BLOCKS.

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 the 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.

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.
2. Cul-de-sacs are prohibited 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.

TABLE 5.2.2.F THOROUGHFARE / INTERNAL DRIVE TYPES – SUMMARY

ESS Detail	Applicable District	Name
DS01	CD2	RURAL NEIGHBORHOOD ROADSIDE DITCH
DS02	CD2	RURAL NEIGHBORHOOD CURBED
DS06	CD3L	LARGE LOT NEIGHBORHOOD
DS10	CD3	SUBURBAN NEIGHBORHOOD PARALLEL PARKING BOTH SIDES
DS11	CD3	SUBURBAN NEIGHBORHOOD PARALLEL PARKING ONE SIDE
DS12	CD3	SUBURBAN NEIGHBORHOOD NO PARALLEL PARKING
DS13	CD3	SUBURBAN BOULEVARD PARALLEL PARKING BOTH SIDES
DS14	CD3	SUBURBAN BOULEVARD NO PARALLEL PARKING
DS18	CD4	URBAN NEIGHBORHOOD PARALLEL PARKING BOTH SIDES
DS19	CD4	URBAN NEIGHBORHOOD NO PARALLEL PARKING
DS20	CD4C	URBAN CENTER PARALLEL PARKING BOTH SIDES
DS21	CD4C	URBAN CENTER NO PARALLEL PARKING
DS22	CD4/4C	URBAN BOULEVARD PARALLEL PARKING BOTH SIDES
DS23	CD4/4C	URBAN BOULEVARD NO PARALLEL PARKING
DS24	CD4/4C	URBAN BOULEVARD 4 LANE
DS25	CD4/4C	URBAN AVENUE PARALLEL PARKING BOTH SIDES
DS26	CD4/4C	URBAN AVENUE NO PARALLEL PARKING
DS27	CD4/4C	URBAN AVENUE 4 LANE
DS34	SD-LI/SD-INT/SD/HI	INDUSTRIAL TWO LANE
DS35	SD-LI/SD-INT/SD/HI	INDUSTRIAL THREE LANE
DS39	CD4/4C/CD5	INTERNAL DRIVE COMMERCIAL AND MIXED-USE
DS40		INTERNAL DRIVE INDUSTRIAL

Thoroughfares shall conform to the applicable standard detail in the City of Columbia Engineering Standards and Specifications (ESS). Where multiple standard details are available, the Zoning Administrator shall determine which standard is appropriate. The City Engineer may modify the composition of a Thoroughfare assembly as described in the ESS. The Zoning Administrator shall assign an appropriate Thoroughfare assembly for any Planned Unit Development based on the Character District with the most similar density, intensity, and character.

G. ASSEMBLIES & STANDARDS.

Thoroughfares and Internal Drives within Districts and Adjacent to Districts shall conform to the applicable standards for such Districts set forth in the City of Columbia Engineering Standards & Specifications.

All street specifications shall meet engineering standards and are subject to approval by the Planning Commission. Elements of the street sections may be altered and approved by the City Engineer.

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.
- b. Boulevards and Avenues shall comprise a portion of the total Thoroughfare length in each Development Parcel with the following districts:
- 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.

TABLE 5.2.2.G.1

CD-3	10%
CD-4	10%
CD-4C	20%
PUD-R	20%
PUD-MU	20%

H. ADDITIONAL PEDESTRIAN WALKWAYS.

1. Pedestrian Access
 - a. Pedestrian ways, linkages and paths shall be provided from the Main Entrance of each principal Building to surrounding Thoroughfares, Internal Drives, external sidewalks, and 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 shall connect Buildings, facilities, elements and Parking spaces that are on the same Lot, Building Site, or Development Parcel.

2. PEDESTRIAN CROSSWALKS.

Crosswalks shall provide pedestrian access 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. INTERNAL DRIVES.

Any Internal Drives shall be placed in a public access Easement and recorded as part of a Final Plat.

K. Alleys.

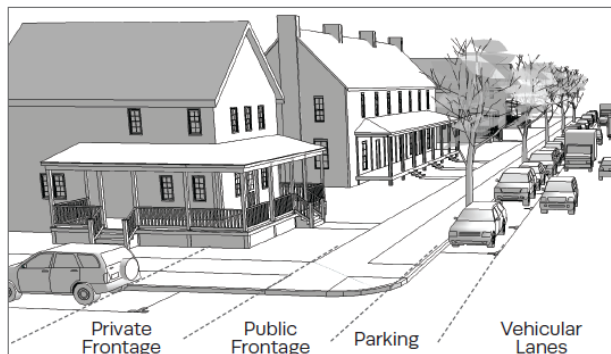
Alleys shall comply with the assembly and standards of the city of Columbia Engineering Standards & Specifications.

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 the City of Columbia Engineering Standards & Specifications. 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.

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 the City of Columbia Engineering Standard & 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.

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 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. Trees shall be centered horizontally; and
2. Trees shall be placed minimally:
 - a. At least two (2) feet from walkways, curbs, and other impervious surfaces if planted in a tree well or continuous planter;
 - b. At least three (3) feet from walkways, curbs, and other impervious surfaces if planted in a continuous Swale or uncontained area.
 - c. At least five (5) feet from street lights, utility meters and service lines, fences, walls and other ground level obstructions;
 - d. At least six (6) feet from porch eaves, awnings and similar overhead obstructions associated with the ground level of Buildings; and

- e. At least 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.

1. A bicycle network comprised of the various allowed Bikeway Types indicated in **Table 5.2.4.B (Bikeway Types)** shall be provided through each Development Parcel of 10 acres or more.
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 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.

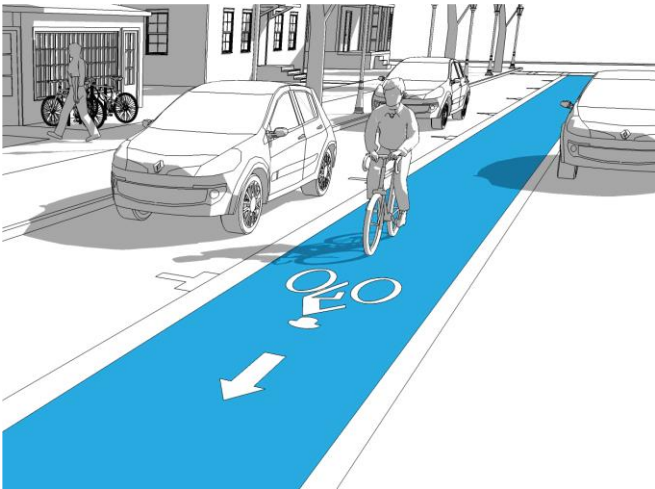
D. All Bikeways shall be placed in a public right-of-way or public access easement.

E. BICYCLE ACCOMMODATION STANDARDS – CIVIC DISTRICTS.

Within Civic Districts, any bicycle accommodations shall comply with the standards applicable to any Adjacent Character District.

TABLE 5.2.4.B BIKEWAY TYPES

Bicycle Lane

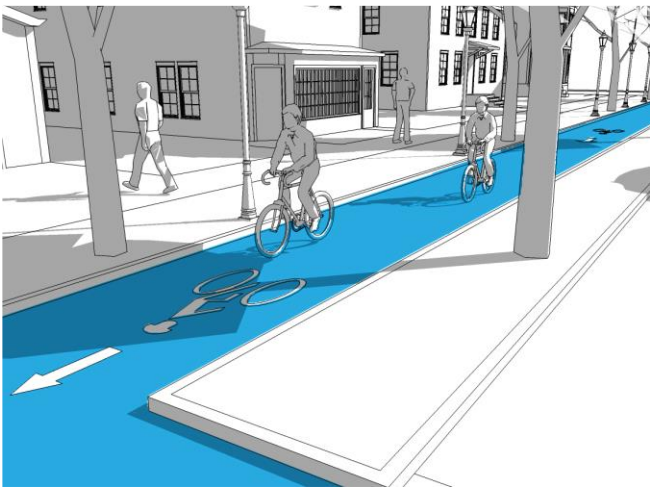


Permitted Districts

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

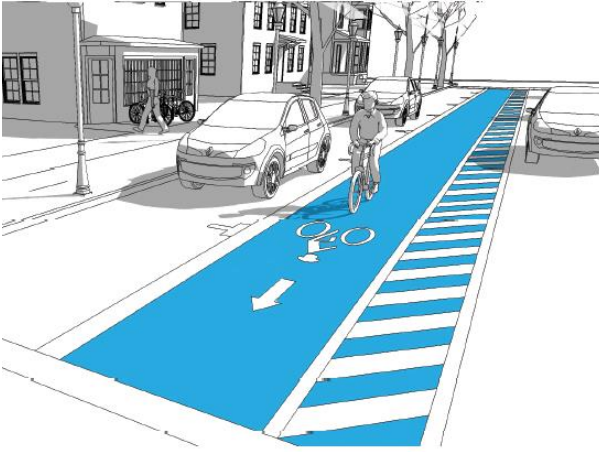


Permitted Districts

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

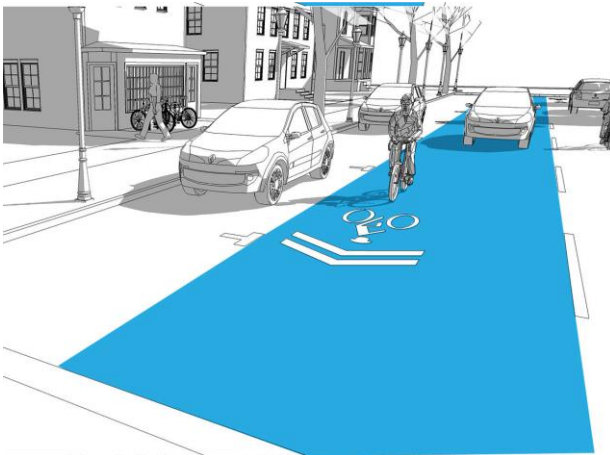


Permitted Districts

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

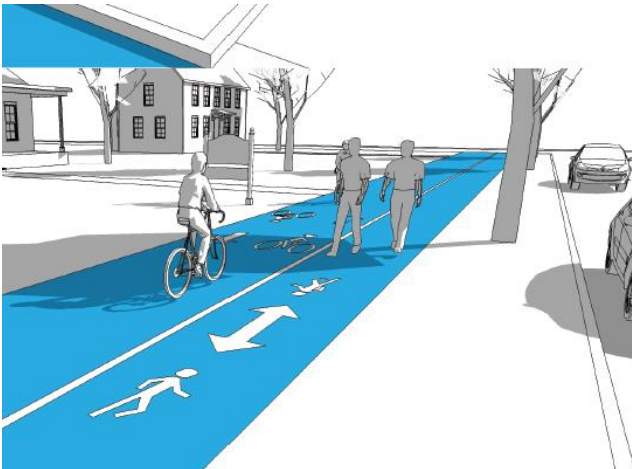


Permitted Districts

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

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)**, and **Table 5.2.5 (Public Planting)** and **Table 4.3.16.D-1 (Native Plants of the Tennessee Valley)**.

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			

CIVIC SPACES**5.3.1 CIVIC SPACE REQUIREMENT.****A. PERCENTAGE OF CIVIC SPACE.**

Any Development Parcel shall include at least 5% 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 under this Ordinance and the Subdivision Regulations.

B. OTHER SPACES PERMITTED.

These provisions do not restrict or prohibit supplemental open space and amenities in addition to the required Civic Space.

C. COMPLIANCE WITH CIVIC DISTRICT STANDARDS.

All Lots, Building Sites, Buildings, Structures and Improvements within Civic Spaces shall comply with the standards applicable to Civic Districts at Table 4.3.1-U (District Standards-Civic).

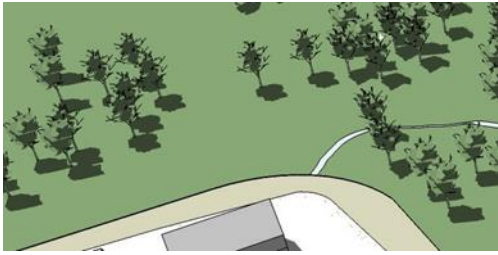
D. CIVIC SPACE LOTS AND BUILDING SITE.

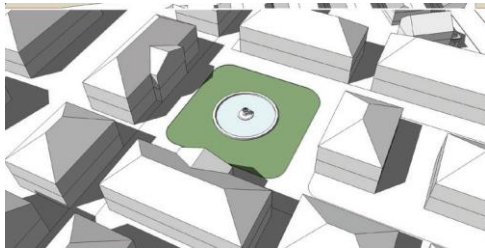
1. Civic Spaces shall be located on Lots or Building Sites identified on a Final Plat, Site Development Plan, or Planned Unit Development Master Plan.
2. Civic Spaces are exempt from the prohibition of through-lots at Section 4.3.3.D.

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)**. The Planning Commission may approve additional specifications for typical facilities within Civic spaces. The selection of Civic Spaces and placement of Civic Spaces within a Development Parcel shall be consistent with the Parks & Greenways element of Connect Columbia.

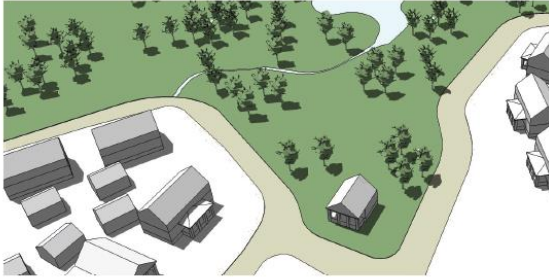
TABLE 5.3.3-A CIVIC SPACE TYPES - SUMMARY

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-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
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

Pocket Park A small predominantly green open area available for unstructured Passive Recreation.	 An aerial perspective rendering of a residential development. The scene shows several houses with grey roofs and light-colored walls. In the center of the development is a 'pocket park' area, which is a small, irregularly shaped green space containing several trees and a paved path. To the right of the houses, there is a winding, light-brown path or road. The overall layout suggests a suburban or rural setting with integrated green space.	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 STANDARD

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

TABLE 5.3.3-B CIVIC SPACE - SPECIFIC STANDARD

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

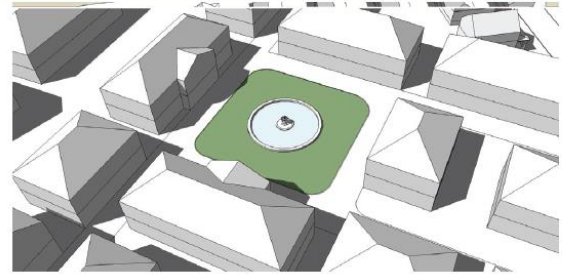
Size	0.5 acres min. 5 acres max
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Frontage	Buildings
----------	-----------

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

TABLE 5.3.3-B CIVIC SPACE - SPECIFIC STANDARD

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.

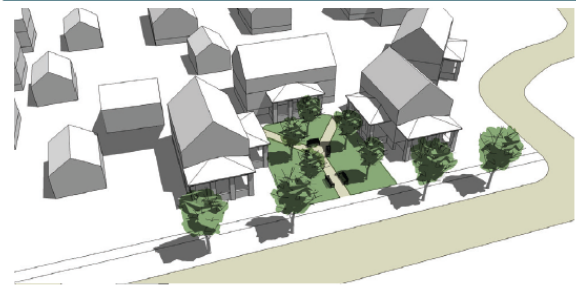
Specifications

Size	No min. No max
Frontage	Buildings
Character	Formal

Typical Facilities

- Active recreation
- Play structures

TABLE 5.3.3-B CIVIC SPACE - SPECIFIC STANDARD

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	

5.3.3 CIVIC SPACES REQUIRED.

Each Development Parcel of 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. 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 1,300 feet of each Lot or Building Site in Residential Use in all Districts CD-3, CD-4, CD-4C, CD-5; and

C. THOROUGHFARE ENFRONTMENT.

Each Civic Space shall have a 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 Sports Fields or Courts.

5.3.4 CIVIC BUILDINGS WITHIN CIVIC SPACES.

Civic Buildings and community amenities, including mail kiosks, pool houses, and community centers may be located in Civic spaces.

5.3.5 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.

SECTION 5.4 DISTRICT DENSITY**A. DENSITY CALCULATIONS.**

Any proposed Development Parcel, 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)**.

TABLE 5.4.A-1 DISTRICT DENSITY

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	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

3. For purposes of calculating District Density:
 - a. the area shall include the Thoroughfares, Internal Drives, and Civic Space within the Development Parcel;
 - 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

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	0.5 Density Unit
1500 sf. Civic Use, except Correctional Facilities, Civic Space & Open Spaces	1 Density Unit
3000 sf. Civic Use - Correctional Facility	1 Density Unit
Civic Space & Open Space (any amount)	0 Density Unit
Civic 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	0.5 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 AND ATTICS	

B. MAXIMUM DENSITY.

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 PROJECT BUFFERS

5.5.1 GENERAL.

Project Buffers shall be provided for Development Parcels in accordance with this Section 5.5.

5.5.2 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 5.5, 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.

5.5.3 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.

5.5.4 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.

5.5.5 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 required by this Ordinance.

5.5.6 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.

5.5.7 BUFFER NOT PART OF CIVIC SPACE.

A Buffer area may not be included as part of the calculation of any required Civic Space.

5.5.8 WHEN REQUIRED.

A Project Buffer shall be required for new Development in the Districts indicated in **Table 5.5.8 (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 5.5.8. PROJECT BUFFERS

DISTRICT OF NEW DEVELOPMENT	BUFFER DEPTH	DESIGN PLANTS / 100 LINEAR FEET
SD-MHP (N/A if abutting another SD-MHP District)	75'	15 Canopy Trees $\geq$ 50% Evergreen, 15 Understory Trees $\geq$ 50% Evergreen & 90 Shrubs $\geq$ 75 % Evergreen*
SD-INT	75'	20 Canopy Trees $\geq$ 50% Evergreen, 20 Understory Trees $\geq$ 50% Evergreen & 120 Shrubs $\geq$ 75 % Evergreen
SD-LI	75'	20 Canopy Trees $\geq$ 50% Evergreen, 20 Understory Trees $\geq$ 50% Evergreen & 120 Shrubs $\geq$ 75 % Evergreen
SD-HI	75'	20 Canopy Trees $\geq$ 50% Evergreen, 20 Understory Trees $\geq$ 50% Evergreen & 120 Shrubs $\geq$ 75 % Evergreen
PUD-R	75'	15 Canopy Trees $\geq$ 50% Evergreen, 15 Understory Trees $\geq$ 50% Evergreen & 90 Shrubs $\geq$ 75 % Evergreen
PUD-MU	50'	15 Canopy Trees $\geq$ 50% Evergreen, 15 Understory Trees $\geq$ 50% Evergreen & 90 Shrubs $\geq$ 75 % Evergreen
*SD-MHP Project Buffer shall also include a continuous 100% opaque fence at least 6' feet high		

5.5.9 DESIGN.

A. PLANT MATERIALS.

A Project Buffer shall be designed and comprised of the plant materials indicated in **Table 5.5.8 (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 5.5.8 (Project Buffers)** and Section 5.5.9.G and is not described in Section 5.5.9.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.

5.5.10 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.

5.5.11 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.

5.5.12 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.

5.5.13 MAINTENANCE.**A. RESPONSIBLE PARTIES / RESPONSIBILITIES.**

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 arrival 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 for purposes of enforcement in 5.5.13.G.

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**.

5.5.14 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.

5.5.15 TREE PROTECTION.

The Tree Protection provisions in Section 4.3.16.L are applicable to all Development Parcels.

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, of any Lot, Building Site, or other parcel of land;

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;

D. USE.

Use of any Structure, Lot, Building Site, or other parcel of land;

E. APPLICATIONS AND ACTIONS.

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.

ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

5.1.4 PEDESTRIAN SHEDS.

A. PARCEL TO BE BASED ON PEDESTRIAN SHED.

Each Development Parcel 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 may be smaller or larger than the Pedestrian Shed within which it is situated.

ILLUSTRATION 5.1.4.B-1 STANDARD PEDESTRIAN SHED

ILLUSTRATION 5.1.4.B-2 LINEAR PEDESTRIAN SHED

5.1.5 THOROUGHFARE / INTERNAL DRIVE NETWORK.

The Thoroughfare and Internal Drive network shall be laid out according to Section 5.2.

5.1.6 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)**.

ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

Table 5.1.10 (Building Type Mix).

District	Building Types	Permitted Share of Total Building Frontage Width
<u>CD-4</u>	<u>Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily</u>	<u>85% max, with Large Multifamily < 20% of Total CD-4 Frontage width</u>
	<u>Total of Commercial, Mixed Use & Flex</u>	<u>15% min Frontage width</u>
<u>CD-4C</u>	<u>Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily</u>	<u>85% max, with Large Multifamily < 20% of Total CD-4C Frontage width</u>
	<u>Total of Commercial, Mixed Use & Flex</u>	<u>15% min Frontage width</u>
<u>CD-5</u>	<u>Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily</u>	<u>85% max, with Large Multifamily < 20% of Total CD-5 Frontage width</u>
	<u>Total of Commercial, Mixed Use & Flex</u>	<u>30% min Frontage width</u>
<u>CD-5C</u>	<u>Total of House, Duplex, Townhouse, Small Multifamily & Large Multifamily</u>	<u>85% max, with Large Multifamily < 20% of Total CD-5C Frontage width</u>
	<u>Total of Commercial, Mixed Use & Flex</u>	<u>15% min Frontage width</u>
<u>PUD-R</u>	<u>Any single permitted Building Type</u>	<u>Determined by Decision Making Authority</u>
<u>PUD-MU</u>	<u>Total of Commercial, Mixed Use, Flex & Mid-Rise</u>	<u>40% min</u>

5.1.7 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)**.

ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

Table 5.1.110 (PRINCIPAL USE MIXBuilding Type Mix).

Max Residential Use % of Net Site Area	
<u>CD-4</u>	<u>85% max</u>
<u>CD-4C</u>	<u>85% max</u>
<u>CD-5</u>	<u>70% max</u>
<u>CD-5C</u>	<u>70% max</u>
<u>SD-INT</u>	<u>40% max</u>
<u>SD-LI</u>	<u>40% max</u>
<u>SD-HI</u>	<u>None Permitted</u>
<u>PUD-MU</u>	<u>40% max</u>

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.

ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

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.

ILLUSTRATION 5.2.2.B-1 THOROUGHFARE / INTERNAL DRIVE COMPONENTS

2. Each Alley shall consist of the elements shown in the Engineering Standards & Specifications~~Illustration 5.2.2.B-2 (Alley Components).~~

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ILLUSTRATION 5.2.2.B-2 ALLEY COMPONENTS

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. BLOCKS PERIMETER.

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 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.
2. Blocks shall not exceed the 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.

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TABLE 5.2.2.D BLOCK PERIMETER STANDARDS.

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

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

2. ~~Ceul-de-sacs are prohibited except where 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.~~

TABLE 5.2.2.F THOROUGHFARE / INTERNAL DRIVE TYPES - SUMMARY

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 Planning Commission 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.~~

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.

- b. Boulevards and Avenues shall comprise a portion of the total Thoroughfare length in each Development Parcel with the following districts:

- c. Boulevards and Avenues shall be continuous in nature where possible and generally provide a continuous path from the entrance through the site.

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

2. Where a Traffic Impact Study indicates Average Annual Daily Traffic exceeds 1,200 trips per day, a 4-Lane Avenue shall be provided.

TABLE 5.2.2.G.1

<u>CD-3</u>	<u>10%</u>
<u>CD-4</u>	<u>10%</u>
<u>CD-4C</u>	<u>20%</u>
<u>PUD-R</u>	<u>20%</u>
<u>PUD-MU</u>	<u>20%</u>

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TABLE 5.2.2.G-1 THOROUGHFARE / INTERNAL DRIVE ASSEMBLIES AND STANDARDS

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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 Main Entrance of each principal Building entry to surrounding Thoroughfares, Internal Drives, external sidewalks, and Adjacent 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 all applicable regulations adopted by the City shall connect Buildings, facilities, elements and Parking spaces that are on the same Lot, Building Site, or Development Parcel. ~~State requirements shall connect Buildings, facilities, elements and Parking spaces that are on the same Lot, Building Site, or Development Parcel.~~

2. PEDESTRIAN CROSSWALKS~~S~~

ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

Crosswalks shall ~~be designed and provided 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.~~

~~K.J.~~ INTERNAL DRIVES.

Any Internal Drives shall be placed in a public access Easement and recorded as part of a Final Plat.

K. Alleys.

Alleys shall comply with the assembly and standards of ~~Table 5.2.2.L (Alley Assembly & Standards).~~

~~the city of Columbia Engineering Standards & Specifications.~~

~~5.2.3~~ 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 the City of Columbia Engineering Standards & Specifications ~~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.~~

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

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 the City of Columbia Engineering Standard & Specifications 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.
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.

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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.

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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.

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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.

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G. PLACEMENT OF TREES.

Landscaping within the Public Frontage and landscaping within Civic Spaces shall comply with the following standards:

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1. ~~Trees he same~~ shall be centered horizontally; ~~and and placed minimally;~~

- ~~1.2.~~ Trees 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.

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

~~2-c.~~ At least 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 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

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

(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.

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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.

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5.2.4 BICYCLE ACCOMMODATIONS

A. BICYCLE PARKING.

Bicycle Parking shall be provided in accordance with Section 4.3.13.

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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 throughout each Development Parcel of 180 acres or more.

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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.

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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 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.

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

All Bikeways shall be placed in a public right-of-way or public access easement.

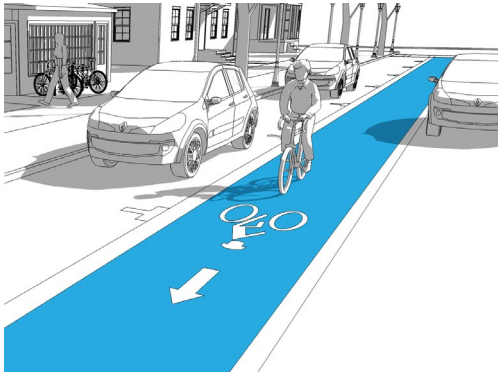
D. TABLE 5.2.4.B BIKEWAY TYPES

G.E. BICYCLE ACCOMMODATION STANDARDS – CIVIC DISTRICTS.

Within Civic Districts, any bicycle accommodations shall comply with the standards applicable to any Adjacent Character District.

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

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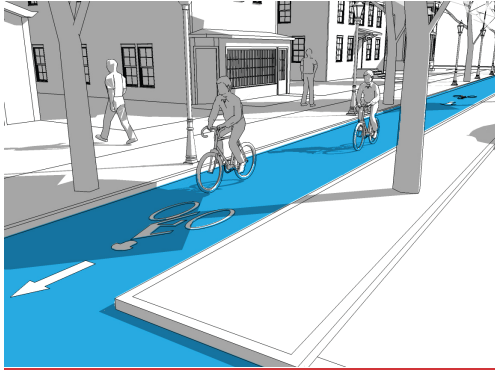
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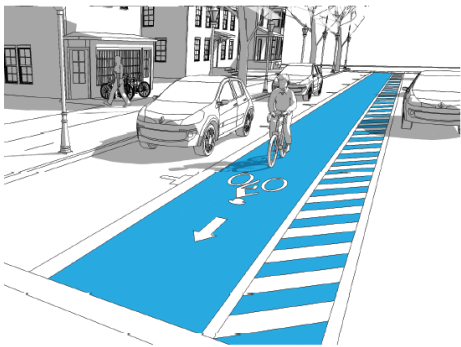
ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS



<u>Bicycle Parking</u>	<u>Rack, bicycle shelter, bicycle station</u>
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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

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<u>Riding Surface Width</u>	<u>5 ft min each way</u>
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<u>Buffer</u>	<u>2 ft min, painted buffer</u>
<u>Movement</u>	<u>With traffic or Contra-flow</u> <u>(2 lanes on the same side</u> <u>of the street or 1 lane on</u> <u>each side)</u>

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<u>Intersection Detailing</u>	<u>Signalized, Peg-a-Track,</u> <u>colored, Bicycle Box</u>
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<u>Bicycle Parking</u>	<u>Rack, bicycle shelter,</u> <u>bicycle station</u>
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Shared Use Lane

Permitted Districts

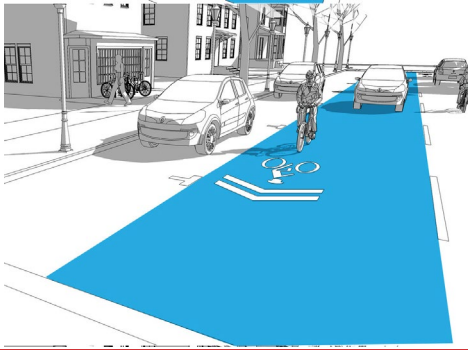
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SD-MHP SD-INT SD-LI SD-HI PUD-R PUD-MU

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<u>Riding Surface Width</u>	<u>Same as Vehicular Lane</u> <u>with signs or sharrows at</u>
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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS



	<u>intervals established by the City Engineer</u>
<u>Buffer</u>	<u>None</u>
<u>Movement</u>	<u>With traffic</u>
<u>Intersection Detailing</u>	<u>Signed, Signalized</u>
<u>Bicycle Parking</u>	<u>Opportunistic, rack, Bicycle Shelter</u>

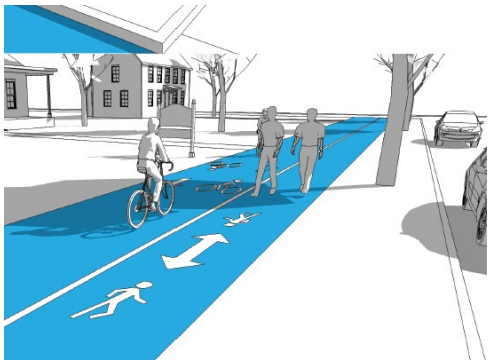
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Shared Use Path



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

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Riding Surface Width 10 ft min

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Buffer 3 ft min, curb or planter strip

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Movement With traffic or dual direction

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Intersection Detailing Signed, Signalized, Peg-a-Track

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Bicycle Parking Rack, bicycle shelter, bicycle station

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~~D. BICYCLE ACCOMMODATION STANDARDS—SPECIAL DISTRICTS.~~

~~Within Special Districts, any bicycle accommodations shall comply with any applicable standards for the Special District.~~

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

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).

TABLE 5.2.5 PUBLIC PLANTING

SECTION 5.3 ~~CIVIC DISTRICTS~~ SPACES

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. ~~OTHER SPACES PERMITTED 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. These provisions do not restrict or prohibit supplemental open space and amenities in addition to the required Civic Space.~~

C. COMPLIANCE WITH CIVIC DISTRICT STANDARDS.

All Lots, ~~Building Sites~~Development, Buildings, Structures and Improvements within Civic ~~Spaces~~Districts shall comply with ~~the standards applicable to Civic Districts at~~ Table 4.3.1-U (District Standards-Civic).

D. CIVIC SPACE LOTS AND BUILDING SITE.

- ~~1. Civic Spaces shall be located on Lots or Building 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)**. ~~The Planning Commission may approve additional specifications for typical facilities within Civic spaces. The selection of Civic Spaces and placement of Civic Spaces within a Development Parcel shall be consistent with the Parks & Greenways element of Connect Columbia. as indicated~~

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

~~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.~~

TABLE 5.3.3-A CIVIC SPACE TYPES - SUMMARY

TABLE 5.3.3-B CIVIC SPACE - SPECIFIC STANDARDS

5.3.3 CIVIC SPACES REQUIRED.

Each Development Parcel of 1.20 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. Where, —unless— 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 1,3800 feet of ~~each~~ every Lot or Building Site in Residential Use in all Districts CD-3, CD-4, CD-4C, CD-5 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 ~~portion minimum of 50%~~ 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 Sports Fields or Courts 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~~ **5.3.4 CIVIC BUILDINGS WITHIN CIVIC SPACES 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. Civic Buildings and community amenities, including mail kiosks, pool houses, and community centers may be located in Civic spaces.~~

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

~~5.3.6~~ 5.3.5 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.

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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

Commented [KM2]: Correct CD-3 density.

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	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

ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

TABLE 5.4.A-1 DISTRICT DENSITY	
Density Units	
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:

- the area shall include the Thoroughfares, Internal Drives, and Civic Space within the Development Parcel ~~the District, but not land assigned to Civic Zones;~~
- 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

B. MAXIMUM ~~DISTRICT~~ DENSITY.

The Maximum Density per Character District of a Development Parcel, shall not exceed that set forth in **Table 5.4.A-1 (District Density)**.

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

~~SECTION 5.5~~ DISTRICT DESIGNATION

~~All Districts within a Development Parcel shall be designated on the applicable Development Plan or Master PUD Development Plan.~~

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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).~~

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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.~~

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5.6.3 ASSIGNMENT OF SPECIAL DISTRICTS.

~~Special Districts shall be assigned in accordance with Sections 2.4.3 and 3.3.~~

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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.~~

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~~SECTION 5.8~~ SECTION 5.5 PROJECT BUFFERS

~~5.8.15.5.1~~ GENERAL.

Project Buffers shall be provided for Development Parcels in accordance with this Section 5.8.

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5.8.25.5.2 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.

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5.8.35.5.3 NOT APPLICABLE FOR CERTAIN USES / SITE WORK

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

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.

5.8.45.5.4 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.

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5.8.55.5.5 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 required by this Ordinance.

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5.8.65.5.6 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.

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5.8.75.5.7 BUFFER NOT PART OF CIVIC SPACE.

A Buffer area may not be included as part of the calculation of any required Civic Space.

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5.8.85.5.8 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.

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5.8.95.5.9 DESIGN.

A. PLANT MATERIALS.

A Project Buffer shall be designed and comprised of the plant materials indicated in **Table 5.7.8 (Project Buffers)**.

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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:

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1. Minimum 100% opacity;

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

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.

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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.

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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.

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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.

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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.

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H. SIGN VISIBILITY.

Project Buffers shall be designed to address visibility of any permitted ground Signs.

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~~5.8.105.5.10~~ 5.10 LOCATION.

A. COMMON BOUNDARY

Any required Project Buffer shall be located along the common boundary of the abutting District.

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

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.

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C. LOCATION IN YARD / SETBACK.

Project Buffers may be constructed in any required Yard or Setback.

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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~~ 5.11 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.

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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;

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

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.

ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

~~5.8.12~~ 5.12 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.

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~~5.8.13~~ 5.13 MAINTENANCE.

A. RESPONSIBLE PARTIES / RESPONSIBILITIES.

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 arrival 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 for purposes of enforcement in 5.6.13.G.

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B. PLANTINGS.

Dead or diseased plantings shall be removed and replaced with plants meeting all requirements of this Ordinance.

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C. WATER COURSES.

Natural water courses within a Project Buffer shall be maintained in a natural condition consistent with any applicable regulations.

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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.

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E. STRUCTURAL FEATURES.

Landscape structural features such as walls, fences, or water features shall be maintained in a structurally safe and attractive condition.

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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.

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

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**.

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~~5.8.14~~ 5.14 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.

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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.

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~~5.8.15~~ 5.15 TREE PROTECTION.

The Tree Protection provisions in Section 4.3.16.L are applicable to all Development Parcels.

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ARTICLE 5: DEVELOPMENT PARCEL PLANS & STANDARDS

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 ~~striketrough~~ 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.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: 1ST CONSIDERATION ON ORDINANCE NO. 4518 - AN ORDINANCE AMENDING DEVELOPMENT SERVICES PLANNING FEE SCHEDULE FOR THE CITY OF COLUMBIA, TENNESSEE - CITYWIDE

RECOMMENDATION: Approve Ordinance No. 4518 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend the Planning Fee schedule as attached. Approval was recommended by the Planning Commission at the June 5, 2024 meeting by a vote of five to zero.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance 4518, Exhibit A, Current Fee Schedule (adopted April 2023).

**AN ORDINANCE AMENDING DEVELOPMENT SERVICES PLANNING FEE
SCHEDULE FOR THE CITY OF COLUMBIA, TENNESSEE**

WHEREAS, Section §13-7-201 of the Tennessee Code Annotated empowers the city to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals and general welfare of the city to enact such an ordinance; and

WHEREAS, the City Council, pursuant to the provisions of Section §13-4-101 of the Tennessee Code Annotated has appointed a Planning Commission to recommend the appropriate regulations to be enforced therein; and

WHEREAS, on the 5th day of June, 2024, the Planning Commission reviewed and recommended specific changes, in accordance to Section 8.5.4.C.3 of the Zoning Ordinance regarding development fees. The new proposed fee schedule is attached hereto as Exhibit "A" and incorporated herein by reference. Said recommendation is being considered after a public hearing held on the 8th day of August, 2024, notice of which was published in the Daily Herald of Columbia fifteen (15) days or more prior to said meeting.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That the old Development Services planning fee schedule is hereby repealed and deleted and the new Development Services planning fee schedule, which is attached hereto as Exhibit "A" and incorporated herein by reference is hereby approved.

Section 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
COLUMBIA, TENNESSEE, this the 12th day of September, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY – CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration: _____



PLANNING FEE SCHEDULE

Payable upon Submission of Application

Non-refundable Except as Provided in Refund Policy

Comprehensive Plan Amendment¹

Submittal Fee	\$ 300
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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
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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
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Revision of Plan Requiring Planning Commission Approval (§8.5.6.D.3); plus	50% of original fee
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Renewal of Expiring Site Plan without Changes (§8.5.6.D.1-2) ²	100% of original fee
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Alternative Compliance	\$500
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¹ Must be accompanied by a request for rezoning.

² Paid with building permit or site construction plan review, as applicable.



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
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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
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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.



Subdivision (§8.5.24 and SubRegs)

Minor Subdivisions

Referred to Planning Commission Approval⁶ \$ 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 Reinspection⁷ \$ 50

Zoning Compliance - Residential⁸ \$ 100

Zoning Compliance - Commercial/Industrial⁴ \$ 300

Zoning Compliance - Signs⁹ Lesser of 30% of project
value or \$300

Public Notice¹⁰

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.



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 its 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 referred back to the DRC due to technical deficiencies. May be waived at discretion of the Director of Development Services and/or the Planning Commission.



PLANNING FEE SCHEDULE

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
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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



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.

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.



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 its 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 referred back to the DRC due to technical deficiencies. May be waived at discretion of the Director of Development Services and/or the Planning Commission.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director paul@columbiatn.com 931-560-1560

AGENDA ITEM TITLE: 1ST CONSIDERATION ON ORDINANCE NO. 4519 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING SUPPLEMENTAL STANDARDS IN ARTICLE 6 BY REPEALING SUCH ARTICLE AND REPLACING IT WITH A NEW ARTICLE 6, SUPPLEMENTAL STANDARDS - CITYWIDE

RECOMMENDATION: Approve Ordinance No. 4519 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 6: Supplemental Standards, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero.

CERTIFICATION: N/A

ATTACHMENTS: Ordinance 4519; Exhibit A; Staff Report.

**AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING
THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE
REGARDING SUPPLEMENTAL STANDARDS IN ARTICLE 6 BY REPEALING
SUCH ARTICLE AND REPLACING SUCH ARTICLE 6 WITH A NEW
ARTICLE 6, SUPPLEMENTAL STANDARDS**

WHEREAS, Section §13-7-201 of the Tennessee Code Annotated empowers the city to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals and general welfare of the city to enact such an ordinance; and

WHEREAS, the City Council, pursuant to the provisions of Section §13-4-101 of the Tennessee Code Annotated has appointed a Planning Commission to recommend the appropriate regulations to be enforced therein; and

WHEREAS, on the 5th day of June 2024, the Planning Commission reviewed and recommended specific changes in accordance to Section 8.5.18, to the Zoning Ordinance regarding Supplemental Standards in Article 6. As a result, Article 6 is being repealed in its entirety and replaced with a new Article 6 which is attached hereto as Exhibit "A" and incorporated herein. Said recommendations are being considered after a public hearing held on the 8th day of August, 2024, notice of which was published in the Daily Herald of Columbia fifteen (15) days or more prior to said meeting; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That Ordinance Number 4400, the same being the Zoning Ordinance of the City of Columbia, Tennessee is hereby amended by repealing and deleting Article 6 in its entirety and replacing such Article with a new Article 6, Supplemental Standards, which is attached hereto as Exhibit "A" and incorporated herein by reference;

Section 2: That the City Council satisfies the requirements of Section 8.5.18.J.4, by making specific findings as to the following:

- 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.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
COLUMBIA, TENNESSEE, this the 12th day of September, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY – CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration: _____

ARTICLE 6: SUPPLEMENTAL STANDARDS

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, 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 of Lots or Building Sites enfronting existing Thoroughfares and Internal Drives are to be provided, or modified, in accordance with Article 5 (Development Parcel Stan.

6.3.2 Streetscape Repairs, Replacements & Improvements.

Prior to the issuances 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 at least good, or better condition as it was prior such damage, or shall be replaced.

B. Absent Elements.

If the Public Frontage Adjacent to the applicable Lot, or Building Site, does not include a Sidewalk, Planter, Trees, or street lights, or any such absent element shall be provided by the applicable Lot or Building Site owner in accordance with 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; and
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 exiting planter strip or plant well Enfronting an Adjacent Lot.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.3 STREETScape REPAIRS, REPLACEMENTS & IMPROVEMENTS CONTINUED.

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, s if such standards were applicable.

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 set-backs will recognize as planned future property lines for such Lot or Building Sites.

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 each element, so that it qualifies, or would qualify if within the public right-of-way, for dedication to the City.

E. 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 side walk may only occur 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 determine 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 of the final plat, issuance of a building permit, or issuance of a grading permit.
5. Fees received pursuant to this Subsection shall be used in accordance with the City Sidewalk Fund as direct by the City Council.

SECTION 6.4 FIRE SAFETY

Any Multifamily, Mixed-Use, 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.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

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, vehicular and pedestrian ingress/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/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 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 to protect 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 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, as well as impairment of the tax base; all of which 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.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

B. Findings of Fact.

It is the purpose of this Ordinance to promote public health, safety and general welfare; and to minimize public and private loss 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 of 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 the lands.

C. Findings of Fact.

4. The Columbia Mayor and its Legislative Body wish to maintain eligibility in the National Flood Insurance Program 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).
5. 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, as well as impairment of the tax base; all of which affect the public health, safety and general welfare.
6. 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.

D. Findings of Fact.

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

6. Restrict or prohibit uses which are vulnerable to water or erosion hazards; or which result in damaging increases in erosion, flood heights, or velocities;
7. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
8. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

9. Control filling, grading, dredging, and other development which may increase flood damage or erosion, and;
10. Prevent, or regulate, the construction of flood barriers which will unnaturally divert flood waters, or which may increase flood hazards to o the lands.
11. 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;
12. To ensure that potential homebuyers are notified that property is in a floodplain area; and
13. 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 flood-proofed.

“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 fire wall. Any walled and roofed addition, which is connected by a firewall, or 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 (1) to three (3) feet where a clearly defined channel does not exist; where the path of flooding is unpredictable and intermediate, and where velocity flow may be evident. (Such flooding is characterized by ponding or sheet flow).

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

“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 if the FRIM, 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 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 equaled, or exceeded, in a given year.

“Basement:” that portion of a building having its 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, piling, 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 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 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 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 in which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, final grading site, 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 the basis for that community’s participation in the National Flood Insurance Program (NFIP).

“Existing Structures” see **“Existing Construction”**.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

“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 determined of flood hazards and, if appropriate, corresponding water surface evaluations, 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 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 evaluation of the base flood.

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

“Flood Protection Systems:” those physical structural works for which funds have been authorized, appropriated, 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 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 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.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

“Flood-related Erosion Area” or “Flood-related Erosion Prone Area:” a land 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 the water surface elevation more than a designated height.

“Floor:” the top surface of an enclosed 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 purpose 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, 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 preliminary, determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district, or a district preliminary, 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 in a local inventory of historic places and determined as eligible by communities 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.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

“Levee:” a man-made structure, usually 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 buildings lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable 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 one hundred and eighty (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 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 such 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 subsequent improvements to such structures.

“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, Local Governments and agencies.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED

“Recreational Vehicle:” a vehicle which is:

1. Built on a single chassis;
2. 400 square feet, or less, when measured at the largest horizontal projection;
3. Designed to be self-propelled, or permanently towable by a light duty truck; 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 the flood-related erosion hazards are shown on an FHBM, FIRM as in 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 one hundred and eighty (180) days of the permit date. The actual start means either the first placement of the permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footing, 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 filing; nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footing, piers, 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 part of the main structure. For 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 the purpose 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, fifty (50) percent of the market value of the structure before the damage occurred.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

“Substantial Improvement:” any repairs, reconstructions, rehabilitations, additions, alterations, or other improvements to a structure, taking place during a five (5) year period, in which the cumulative cost equals, or exceeds, fifty (50) 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 damage occurring. This term includes structures which have incurred “substantial damage”, regardless of the actual repair worked performed.

For the purpose of this definition, “substantial Improvement” is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences; whether or not that alteration affects the external dimensions of the 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; 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 Park or Subdivision:” where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty (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 all subsequent amendments and revisions, 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.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

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 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 or 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 purpose and is based on scientific and engineering considerations. Larger floods can, and will happen 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

Violations 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 shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Each day such violation continues shall be considered a separate offence. 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.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

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, locations, 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 main 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.

D. Construction Stage.

Within unnumbered A zones, where flood elevation data are not available, the Administrator shall record 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 work taken 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 limited to:

Review of all development permits to assure 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 permits are known, require that copies if such permits are 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.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

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 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 the 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.

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 a 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 source, including data developed as a result of these regulations as criteria for requiring that new construction, substantial improvement, 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 flood-proofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Section 9.15 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 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 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 new buildings shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements to new buildings shall be constructed by methods and practices to 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 accumulating within the components during conditions of flooding;

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICT

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

6. New and replaced water supply systems shall be designed to minimize, or eliminate, infiltration of flood waters into the system;
7. New and replaced sanitary sewage systems shall be designed to minimize, or eliminate, infiltration of flood waters into the systems, and discharges from the system into flood waters;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction, or improvements to a building that is in compliance with the provisions of this Ordinance, shall meet the requirements of “new construction” as contained in this Ordinance; and,
10. Any alteration, repair, reconstruction, or improvements to a building that is not in compliance with the provisions 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 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 flood-proofed, 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 flood-proofed, 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 flood-proofed, 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 and 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 elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components have 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 the accepted standards of practice for meeting the provisions above; and shall provide such certification to the Administrator as set forth by this Section 6.6.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

Buildings located in all A zones may be flood-proofed in lieu of being elevated, provided that all areas of the building below the elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components have 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 the accepted standards of practice for meeting the provisions above; and shall provide such certification to the Administrator as set forth by 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 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 engineer or architect, or meet the following minimum criteria:
 - (1) Provide a minimum of two (2) openings having a total net area of no less than one (1) square inch for every square foot of enclosed area subject to flooding:
 - (2) The bottom of all openings shall be no higher than one foot above the finish grade, and
 - (3) Openings must be equipped with screens, louvers, valves, other coverings, or devices provided they limit 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 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 provisions 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) new or substantially improved manufactured home parks or subdivisions must meet all the requirements of new construction, including elevations and anchoring.
- b. All Manufactured Home 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 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.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED

- e. All recreational vehicles placed on identified flood hazard sites must either:
 - (1) Be on the site for fewer than one hundred eighty (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 of the requirements for new construction, including anchoring, and elevation requirements of this section above if on the site for longer than one hundred eighty (180) consecutive days.

5. Standards for Subdivisions:

Subdivisions and other proposed new 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 proposal shall be reviewed to ensure that:

- a. All subdivisions 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 Standard for Areas of Special Flood Hazard with Established Base Flood 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 floodwaters, debris, or erosion potentials. 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 shall apply:

A. Encroachments.

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

B. New Construction or Substantial Improvement.

New construction or substantial improvements of buildings shall comply with all applicable flood hazard reduction provisions of this Section 6.6.5.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

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.

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, 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.

B. New Construction or Substantial Improvements.

New construction or substantial improvement 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, the Administrator shall obtain, review, and reasonably utilize any specific 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 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 (20) 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 more than one (1) foot at any point in the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principals. 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 structures 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 the standards of Section 6.6.5.B, and "Elevated Buildings".

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

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 the 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 unimpeded movements of floodwaters shall be provided in accordance with standards of Section 6.6.5.B, and "Elevated Buildings".

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 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 capacity of resisting hydrostatic and hydrodynamic loads, and the effect 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 required on 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 highest 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.

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:

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 by a Tennessee registered professional engineer provides certification demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality. The administrator or assignee shall establish minimum standards for the format and content of such certification.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

2. When new elevation data are available, new construction or substantial improvements of buildings shall be elevated, or flood-proofed to elevations established in accordance with Sections 6.6.4 through 6.6.10.

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 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 to the community;
 - d. The importance of the service 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 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, 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 necessary so as to not destroy the historic character and design of the building.
2. Variances shall only be issued upon: 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 a 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 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 risk to life and property.

ARTICLE 3: ZONING DISTRICTS & CIVIC DISTRICTS

SECTION 6.6 FLOODPLAIN PROTECTION CONTINUED.

4. The Administrator shall maintain the records if 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 other part thereof, and the whole or part of any existing, or future ordinance of the City, the most restrictive shall prevail.

B. Validity³

If any section, clause, provisions 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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Article 6 Supplemental Standards
Proposed Zoning Text Amendment

Additions are Underlined
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Proposed Changes

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Article 6 Supplemental Standards Proposed Zoning Text Amendment

Additions are Underlined
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§ 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.

If the Public Frontage Adjacent to the applicable Lot or Building Site does not include a Sidewalk, Planter, ~~Thoroughfare or~~

Corrects formatting

Article 6 Supplemental Standards Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

~~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~~;~~;

4C. 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.

Article 6 Supplemental Standards Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

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.

Article 6 Supplemental Standards Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

D. Fees received pursuant to this Subsection shall be used in accordance with the City Sidewalk Fund as directed 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 Flood

Article 6 Supplemental Standards Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

Elevations and with Floodways Designated (P. 357)

99 **6.6.6 Standards for Areas of Special Flood Hazard with**
100 **Established Base Flood Elevations and with Floodways**
101 **Designated.**

102 Located within the Areas of Special Flood Hazard
103 established in Section 6.12.3.B, are areas designated as
104 floodways. A floodway may be an extremely hazardous
105 area due to the velocity of floodwaters, debris or erosion
106 potential. In addition, the area must remain free of
107 encroachment in order to allow for the discharge of the
108 base flood without increased flood heights and
109 velocities. Therefore, the following provisions shall
110 apply:

111
112 **A. Encroachments.**

113 Encroachments are prohibited, including earthen fill
114 material, new construction, substantial improvements or
115 other developments within the regulatory floodway.
116 Development may be permitted however, provided it is
117 demonstrated through hydrologic and hydraulic analyses
118 performed in accordance with standard engineering
119 practices that the cumulative effect of the proposed
120 encroachments or new development, when combined
121 with all other existing and anticipated development, shall
122 not result in ANY increase the water surface elevation of
123 the base flood level, velocities or floodway widths during

Corrects typo in adopted ordinance

Article 6 Supplemental Standards Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

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:

Article 6 Supplemental Standards Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

144 **A. Encroachments.** No encroachments, including fill
145 material, new structures or substantial improvements
146 shall be located within areas of special flood hazard,
147 unless ~~certification by a~~ Tennessee registered
148 professional engineer ~~provides certification is provided~~
149 demonstrating that the cumulative effect of the
150 proposed development, when combined with all other
151 existing and anticipated development, will not increase
152 the water surface elevation of the base flood more than
153 ~~two-one (12) f000et~~ (12) feet at any point within the community.
154 The engineering certification should be supported by
155 technical data that conforms to standard hydraulic
156 engineering principles. The administrator or assignee
157 shall establish minimum standards for the format and
158 content of such certification.
159
160 **B. New Construction or Substantial Improvements.** New
161 construction or substantial improvements of buildings
162 shall be elevated or flood-proofed to elevations
163 established in accordance with Section 6.6.5.B.

*Corrects an error in the
adopted Ordinance and
authorizes staff to
establish minimum
standards (plan to use
[TEMA No-Rise Guidance](#))*

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](#))*

Article 6 Supplemental Standards Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

188 proposed development, when combined with all
189 other existing and anticipated development, will
190 not increase the water surface elevation of the
191 base flood more than ~~two-one~~ (21) ~~feet-foot~~ at
192 any point within the community. The
193 engineering certification should be supported by
194 technical data that conforms to standard
195 hydraulic engineering principles. The
196 administrator or assignee shall establish
197 minimum standards for the format and content
198 of such certification.

199
200 2. In special flood hazard areas without Base
201 Flood Elevation data, new construction or
202 substantial improvements of existing shall have
203 the lowest floor of the lowest enclosed area
204 (including basement) elevated no less than three
205 (3) feet above the highest adjacent grade at the
206 building site. Openings sufficient to facilitate the
207 unimpeded movements of floodwaters shall be
208 provided in accordance with the standards of
209 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:

~~21.~~ 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 (12)~~ feet-foot at any point within the locality. The administrator or assignee shall establish minimum standards for the format and content of such certification.

~~32.~~ 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~~ Section ~~6.6.4~~ through 6.6.10.

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.



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 ~~striketrough~~ 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.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: 1ST CONSIDERATION ON ORDINANCE NO. 4520 - AN ORDINANCE TO AMEND THE COLUMBIA MUNICIPAL CODE BY REPEALING AND REPLACING TITLE 14, CHAPTER 5 PERTAINING TO ENGINEERING STANDARDS AND SPECIFICATIONS

RECOMMENDATION: Approve Ordinance No. 4520 on first consideration.

INFORMATION: The Engineering Standards and Specifications is requested to be updated by Development Services Department to coordinate with the changes of the Zoning Ordinance. Planning Commission recommended approval of the proposal at the June 5, 2024 meeting by a vote of five to zero.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance 4520, Exhibit A, Thoroughfare Illustrations, Staff Markup.

**AN ORDINANCE TO AMEND THE COLUMBIA MUNICIPAL CODE
BY REPEALING AND REPLACING TITLE 14, CHAPTER 5
PERTAINING TO ENGINEERING STANDARDS AND
SPECIFICATIONS**

WHEREAS, the City of Columbia desires to protect and maintain the health, safety, and general welfare of the public and the citizens of the City of Columbia; and

WHEREAS, in order to meet such objectives, it is necessary to enact engineering standards and specifications and procedures governing construction plans, streets, stormwater and drainage systems, and grading and site development standards and adopt a set of standard engineering details and drawings; and

WHEREAS, the Columbia Municipal Planning Commission reviewed the Engineering Standards and Specifications; and

WHEREAS, the Columbia Municipal Planning Commission did conduct a public hearing on the 5th day of June, 2024 following a public notice in the local newspaper and did take action to recommend approval.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That Title 14, Chapter 5 of the City of Columbia Municipal Code be repealed and deleted in its entirety and replaced with the following new Title 14, Chapter 5 Engineering Standards and Specifications, as described in Exhibit "A", which is attached hereto and incorporated herein by reference.

Section 2: This Ordinance is passed after review by the Columbia City Council, following a public hearing, on the 8th day of August, 2024, with a notice of said hearing

being given in The Daily Herald of Columbia, Tennessee, fifteen (15) days or more before said hearing.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

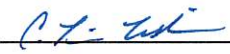
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, This the 12th day of September, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY, CITY MANAGER

Passed on 1st consideration: _____

Passed on 2nd consideration: _____



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.

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 compliant 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. Cul-de-sacs 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 twenty-five (25) feet minimum.
- C. The minimum curb radius for minor and major local streets intersecting collector and arterial roads shall be twenty-five (25) feet minimum. 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, busses, or other non-passenger type vehicles 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, health, 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 been 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.

3.24 Street Trees

Street trees shall be provided in accordance with the Zoning Ordinance. Street trees shall be located within planting strips, or when planting strips are not provided, tree wells or planters. Tree wells or planters shall be four (4) feet in width and thirty (30) square feet in area, minimum.

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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. Deviations from this standard may only be considered on a case-by-case basis, where adherence to this standard is not practicable and not feasible.
- 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. Extents beyond the subject property may utilize LIDAR or other remote methods of survey. Topographical base map shall include:
 - 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.

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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 aggregate 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 aggregates 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

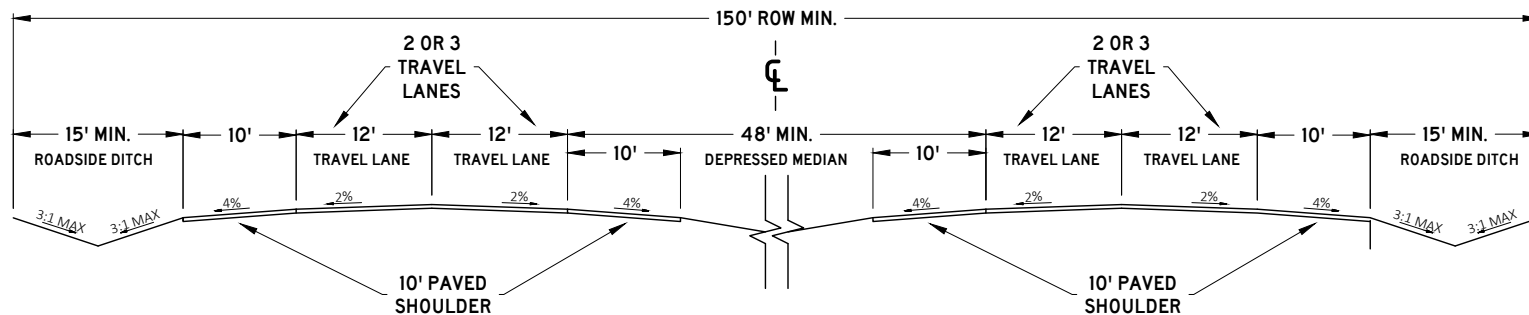
ROADWAY CLASSIFICATION STREET SECTIONS	
RD-01	MAJOR ARTERIAL ROADWAY
RD-02	MINOR ARTERIAL ROADWAY
RD-03	COLLECTOR ROADWAY
RD-04	MAJOR LOCAL / INDUSTRIAL ROADWAY
RD-05	MINOR LOCAL ROADWAY
RD-06	ALLEY
RD-07	RURAL ROADWAY (AADT < 1500)

CHARACTER DISTRICT STREET SECTIONS	
DS01	RURAL NEIGHBORHOOD ROADSIDE DITCH
DS02	BLANK
DS03	BLANK
DS04	BLANK
DS05	BLANK
DS06	LARGE LOT NEIGHBORHOOD
DS07	BLANK
DS08	BLANK
DS09	BLANK
DS10	SUBURBAN NEIGHBORHOOD PARALLEL PARKING BOTH SIDES
DS11	SUBURBAN NEIGHBORHOOD PARALLEL PARKING ONE SIDE
DS12	SUBURBAN NEIGHBORHOOD NO PARALLEL PARKING
DS13	SUBURBAN BOULEVARD PARALLEL PARKING BOTH SIDES
DS14	SUBURBAN BOULEVARD NO PARALLEL PARKING
DS15	BLANK
DS16	BLANK
DS17	BLANK
DS18	URBAN NEIGHBORHOOD PARALLEL PARKING BOTH SIDES
DS19	URBAN NEIGHBORHOOD NO PARALLEL PARKING
DS20	URBAN CENTER PARALLEL PARKING BOTH SIDES
DS21	URBAN CENTER NO PARALLEL PARKING
DS22	URBAN BOULEVARD PARALLEL PARKING BOTH SIDES
DS23	URBAN BOULEVARD NO PARALLEL PARKING
DS24	URBAN BOULEVARD 4 LANE
DS25	URBAN AVENUE PARALLEL PARKING BOTH SIDES
DS26	URBAN AVENUE NO PARALLEL PARKING
DS27	URBAN AVENUE 4 LANE
DS28	BLANK
DS29	BLANK
DS30	BLANK
DS31	BLANK
DS32	BLANK
DS33	BLANK
DS34	INDUSTRIAL TWO LANE
DS35	INDUSTRIAL THREE LANE
DS36	BLANK
DS37	BLANK
DS38	BLANK
DS39	INTERNAL DRIVE COMMERCIAL AND MIXED-USE
DS40	INTERNAL DRIVE INDUSTRIAL

STANDARD DETAILS	
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

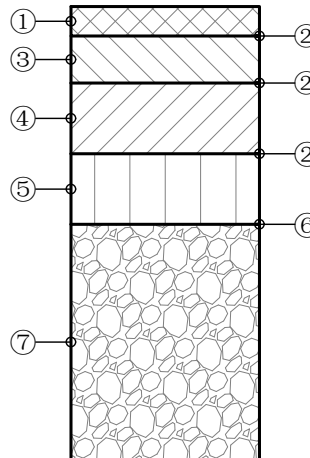
STANDARD DRAINAGE DETAILS	
DD-01	INLETS, CASTINGS, STRUCTURES, AND PIPES
DD-02	OUTLET CONTROL STRUCTURE
DD-03	TRAPEZOIDAL DITCH
DD-04	RESIDENTIAL LOT GRADING AND DRAINAGE

MISCELLANEOUS DETAILS	
MD-01	DUMPSTER PAD & ENCLOSURE
MD-02	PARKING LOT PAVEMENT SECTION
MD-03	CLUSTER BOX UNITS
MD-04	PROPERTY ADDRESSES



PAVEMENT SCHEDULE

①	BIT. SURFACE @ 1.25" THICK 411-02.10 ASPHALT CONCRETE MIX (PG70-22) (ACS) GRADING D (SURFACE)
②	TACK COAT (GENERAL USE) 403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY)
③	BIT. BINDER @ 2" THICK 307-03.08 ASPHALT CONCRETE MIX (PG76-22) (BPMB-HM) GRADING B-M2
④	BIT. BASE @ 3" THICK 307-03.01 ASPHALT CONCRETE MIX (PG76-22) (BPMB-HM) GRADING A
⑤	BIT. BASE @ 3" THICK 307-01.22 ASPHALT CONCRETE MIX (PG76-22) (BPMB-HM) GRADING A-S
⑥	PRIME COAT 402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY) 402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY)
⑦	MINERAL AGGREGATE BASE @ 10" THICK 303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D



NOTES:

1. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
2. DIMENSIONS REFLECT A MINIMUM STANDARD
3. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
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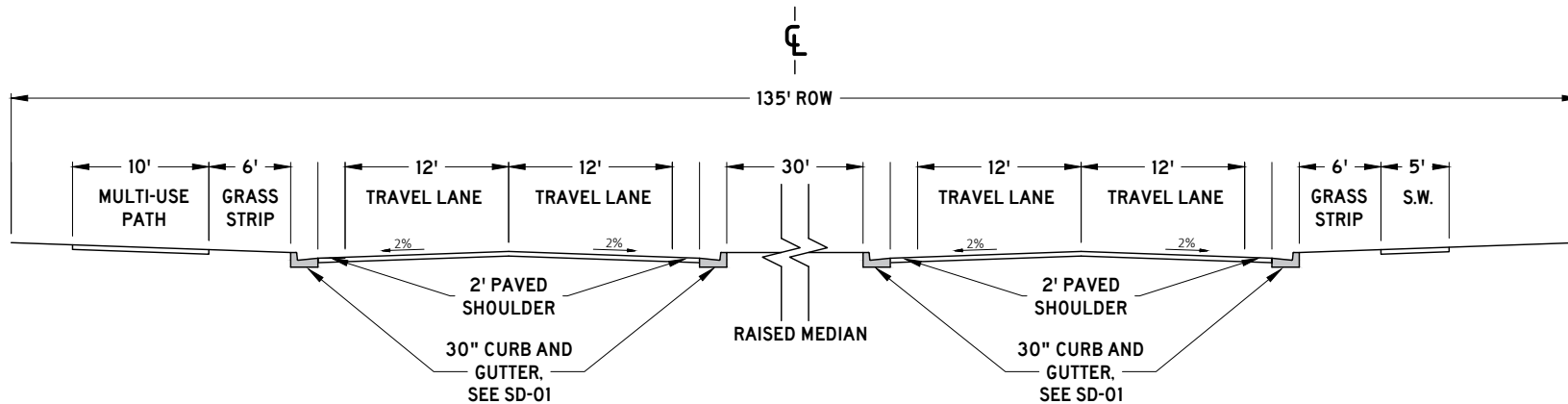
STANDARD DETAILS

MAJOR ARTERIAL ROADWAY

(NTS)

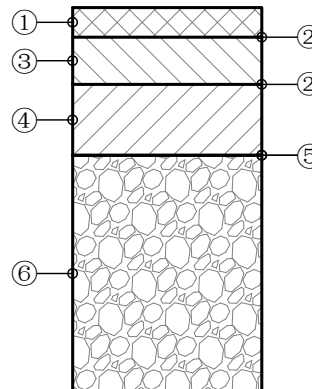
DATE
6/9/2022

RD-01



PAVEMENT SCHEDULE

①	BIT. SURFACE @ 1.25" THICK 411-02.10 ASPHALT CONCRETE MIX (PG70-22) (ACS) GRADING D (SURFACE)
②	TACK COAT (GENERAL USE) 403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY)
③	BIT. BINDER @ 2" THICK 307-03.08 ASPHALT CONCRETE MIX (PG76-22) (BPMB-HM) GRADING B-M2
④	BIT. BASE @ 3" THICK 307-03.01 ASPHALT CONCRETE MIX (PG76-22) (BPMB-HM) GRADING A
⑤	PRIME COAT 402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY) 402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY)
⑥	MINERAL AGGREGATE BASE @ 10" THICK 303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D



NOTES:

1. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
2. DIMENSIONS REFLECT A MINIMUM STANDARD
3. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

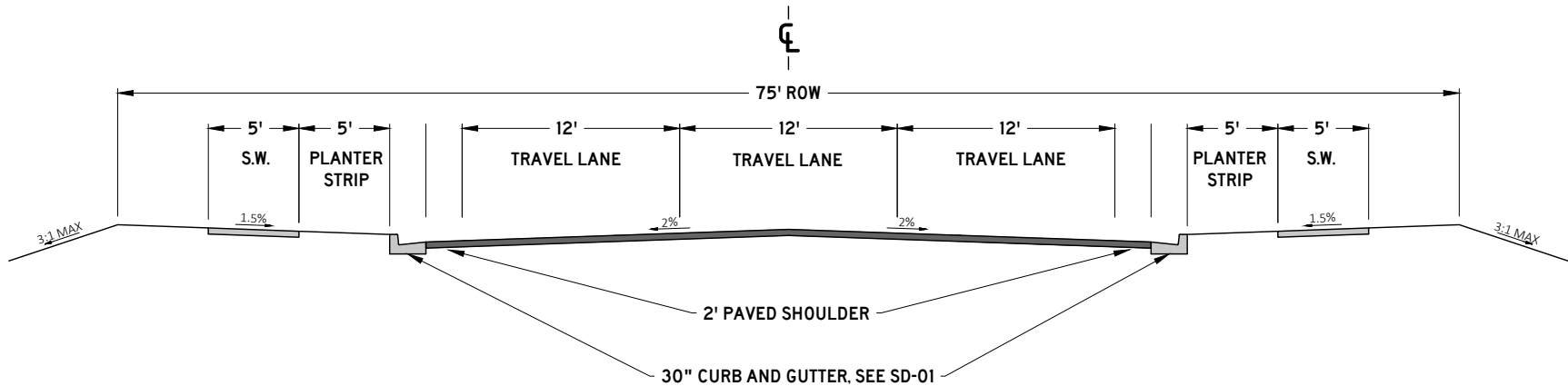
STANDARD DETAILS

MINOR ARTERIAL ROADWAY

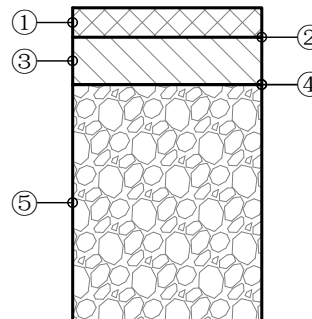
(NTS)

DATE
6/9/2022

RD-02



PAVEMENT SCHEDULE	
①	SURFACE @ 1.5" THICK 411-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING D (SURFACE)
②	TACK COAT (GENERAL USE) 403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY)
③	BIT. BINDER @ 3" THICK 307-01.08 ASPHALT CONCRETE MIX (PG64-22) (BPMB-HM) GRADING B-M2
④	PRIME COAT 402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY) 402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY)
⑤	MINERAL AGGREGATE BASE @ 10" THICK 303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D



NOTES:

1. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
2. DIMENSIONS REFLECT A MINIMUM STANDARD
3. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

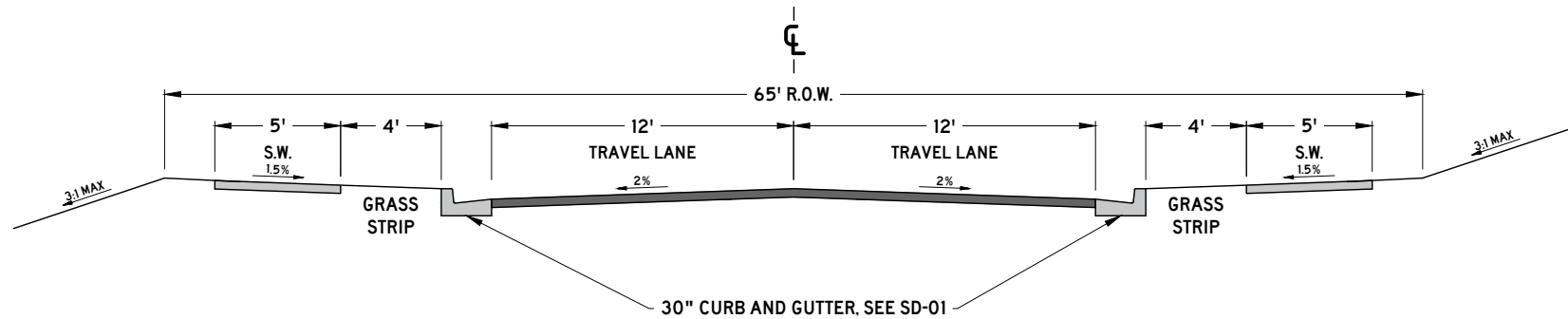
STANDARD DETAILS

COLLECTOR ROADWAY

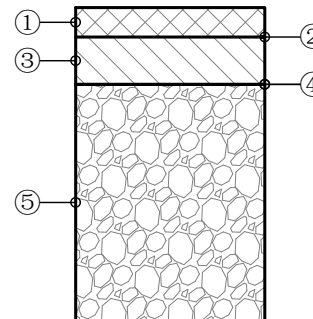
(NTS)

DATE
6/9/2022

RD-03



PAVEMENT SCHEDULE	
①	SURFACE @ 1.5" THICK 411-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING D (SURFACE), OR 307-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING C-W (SURFACE)
②	TACK COAT (GENERAL USE) 403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY)
③	BIT. BINDER @ 3" THICK 307-01.08 ASPHALT CONCRETE MIX (PG64-22) (BPMB-HM) GRADING B-M2
④	PRIME COAT 402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY) 402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY)
⑤	MINERAL AGGREGATE BASE @ 10" THICK 303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D



NOTES:

1. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
2. MAY INCLUDE A THIRD TRAVEL LANE 12 FEET IN WIDTH
3. DIMENSIONS REFLECT A MINIMUM STANDARD
4. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
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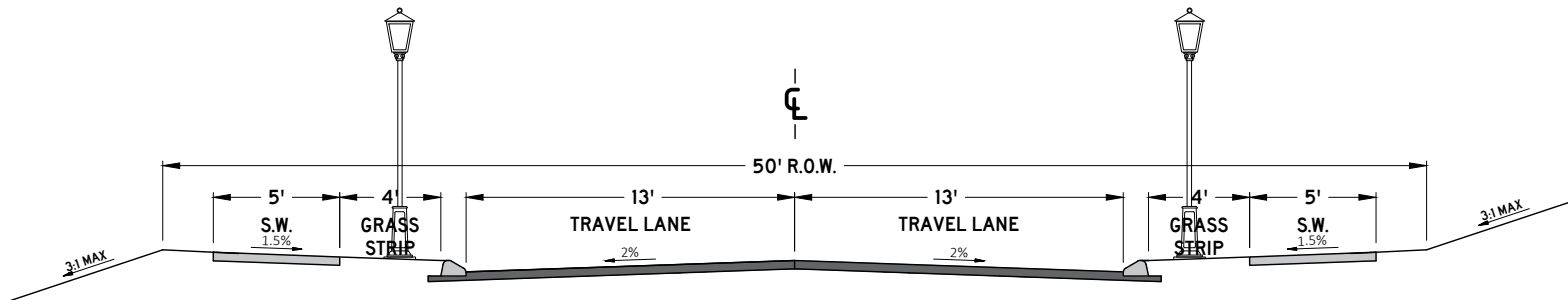
STANDARD DETAILS

MAJOR LOCAL / INDUSTRIAL ROADWAY

(NTS)

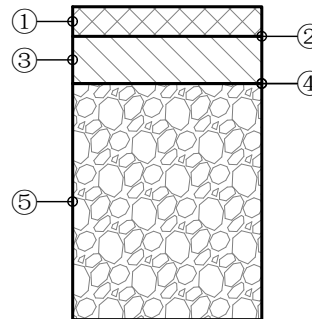
DATE
6/9/2022

RD-04



PAVEMENT SCHEDULE

①	SURFACE @ 1.5" THICK 411-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING D (SURFACE), OR 307-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING C-W (SURFACE)
②	TACK COAT (GENERAL USE) 403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY)
③	BIT. BINDER @ 2" THICK 307-01.08 ASPHALT CONCRETE MIX (PG64-22) (BPMB-HM) GRADING B-M2
④	PRIME COAT 402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY) 402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY)
⑤	MINERAL AGGREGATE BASE @ 8" THICK 303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D



NOTES:

1. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
2. DIMENSIONS REFLECT A MINIMUM STANDARD
3. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

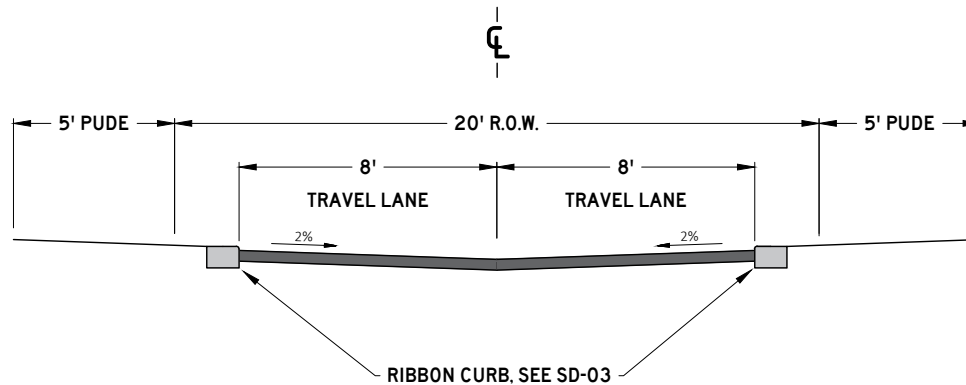
STANDARD DETAILS

MINOR LOCAL ROADWAY

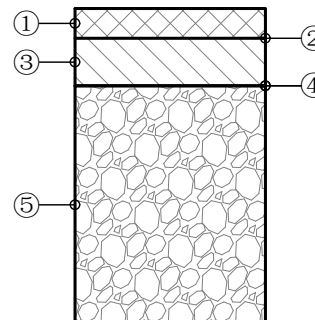
(NTS)

DATE
6/9/2022

RD-05



PAVEMENT SCHEDULE	
①	SURFACE @ 1.5" THICK 411-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING D (SURFACE), OR 307-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING C-W (SURFACE)
②	TACK COAT (GENERAL USE) 403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY)
③	BIT. BINDER @ 2" THICK 307-01.08 ASPHALT CONCRETE MIX (PG64-22) (BPMB-HM) GRADING B-M2
④	PRIME COAT 402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY) 402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY)
⑤	MINERAL AGGREGATE BASE @ 8" THICK 303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D



NOTES:

1. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
2. DIMENSIONS REFLECT A MINIMUM STANDARD
3. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

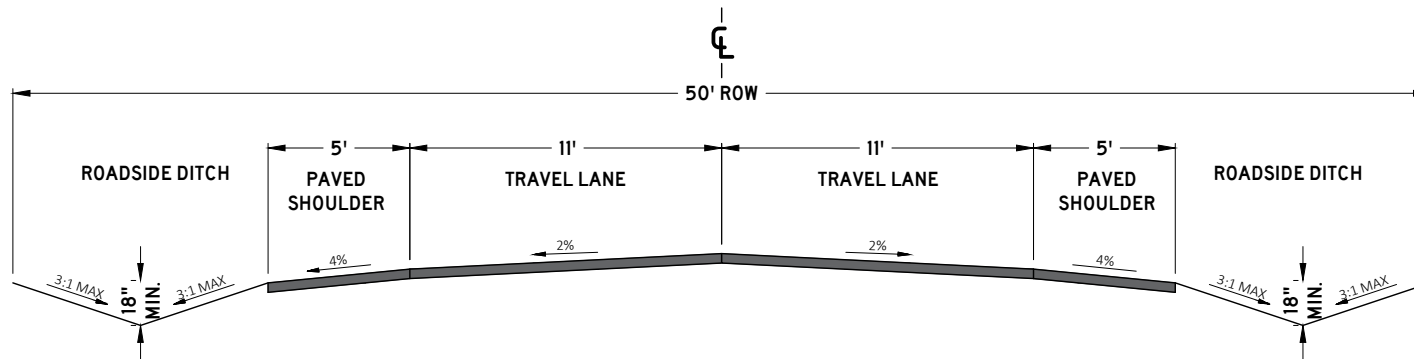
STANDARD DETAILS

ALLEY

(NTS)

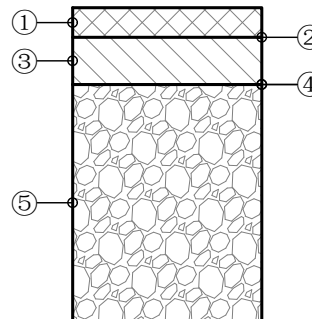
DATE
6/9/2022

RD-06



PAVEMENT SCHEDULE

①	SURFACE @ 1.5" THICK 411-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING D (SURFACE), OR 307-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING C-W (SURFACE)
②	TACK COAT (GENERAL USE) 403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY)
③	BIT. BINDER @ 3" THICK 307-01.08 ASPHALT CONCRETE MIX (PG64-22) (BPMB-HM) GRADING B-M2
④	PRIME COAT 402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY) 402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY)
⑤	MINERAL AGGREGATE BASE @ 10" THICK 303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D



NOTES:

1. SUITABLE FOR RURAL ROADWAYS WITH LESS THAN 1500 AADT
2. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
3. ONLY PERMITTED ON MINOR LOCAL OR MAJOR LOCAL ROADWAY CLASSIFICATIONS
4. PAVEMENT SECTION SHALL FOLLOW MAJOR LOCAL ROADWAY
5. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
6. DIMENSIONS REFLECT A MINIMUM STANDARD
7. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



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ENGINEERING DIVISION

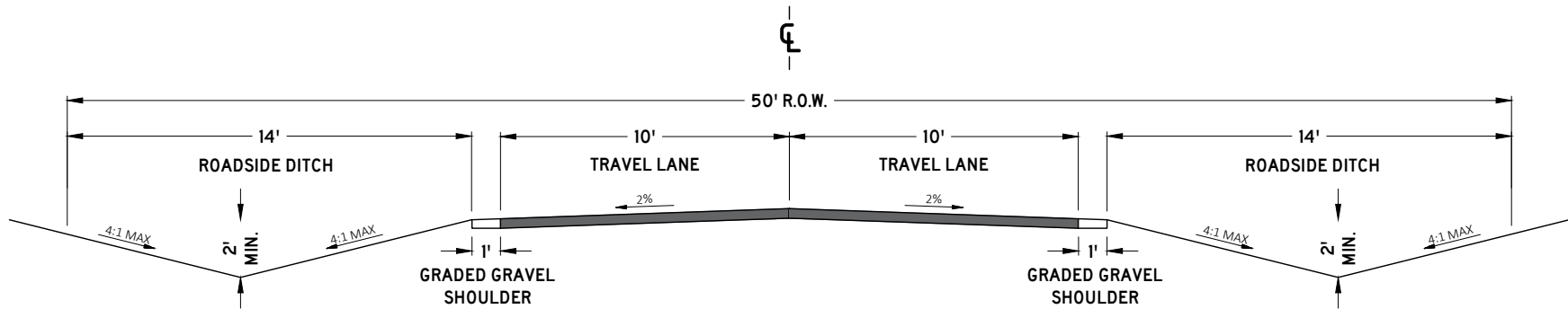
STANDARD DETAILS

RURAL ROADWAY (AADT < 1500)

(NTS)

DATE
6/9/2022

RD-07



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS.
2. ONLY PERMITTED ON MINOR LOCAL ROADWAY CLASSIFICATIONS.
3. PAVEMENT SECTION SHALL FOLLOW MINOR LOCAL ROADWAY.
4. GRADED SHOULDER DEPTH SHALL BE TO THE SAME DEPTH AS THE MINERAL AGGREGATE BASE FOR THE PAVEMENT SECTION.
5. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED.
6. DIMENSIONS REFLECT A MINIMUM STANDARD.
7. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER.



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DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

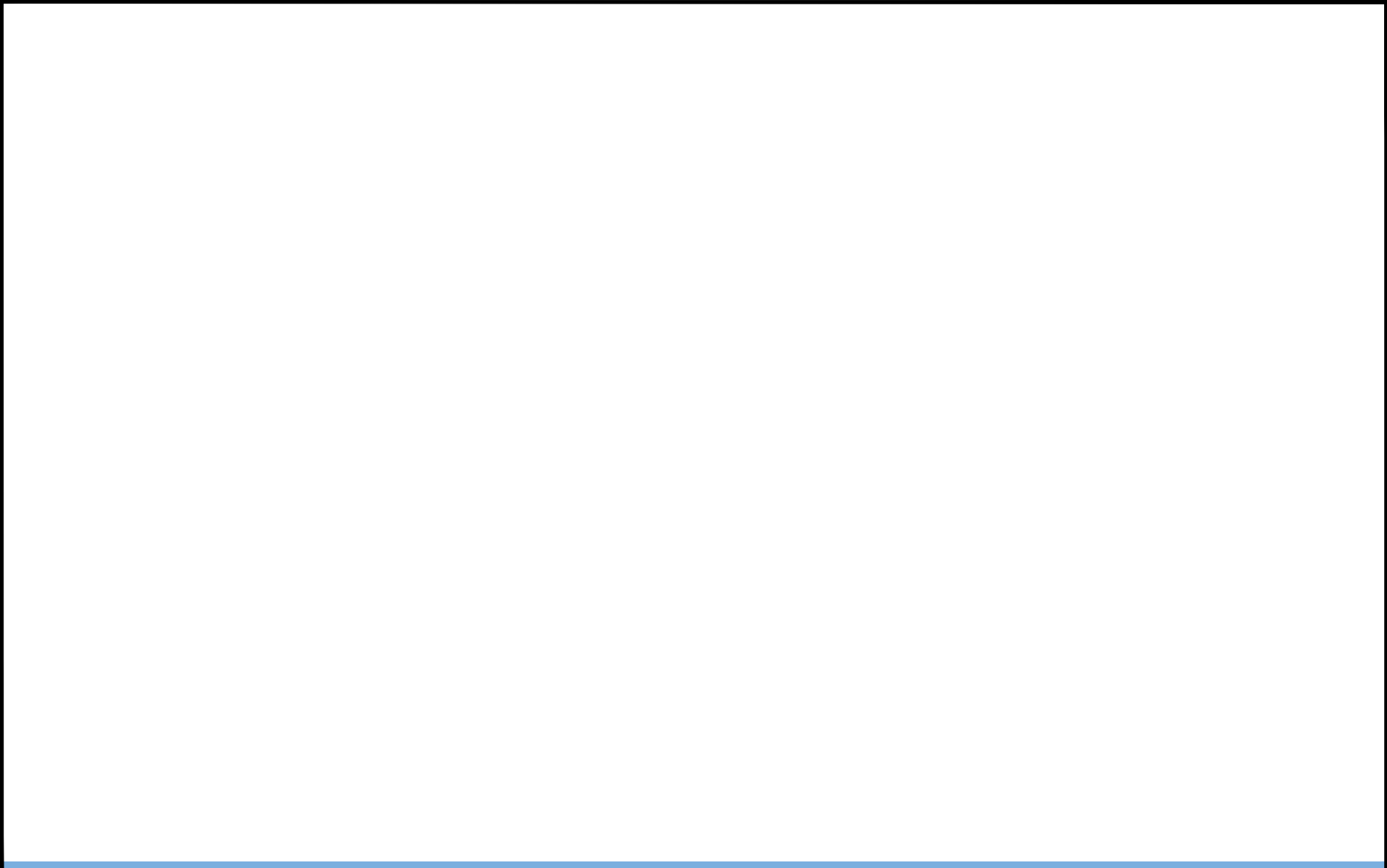
STANDARD DETAILS

**CHARACTER DISTRICT STREET
RURAL NEIGHBORHOOD
ROADSIDE DITCH**

(NTS)

DATE
7/1/2024

DS-01



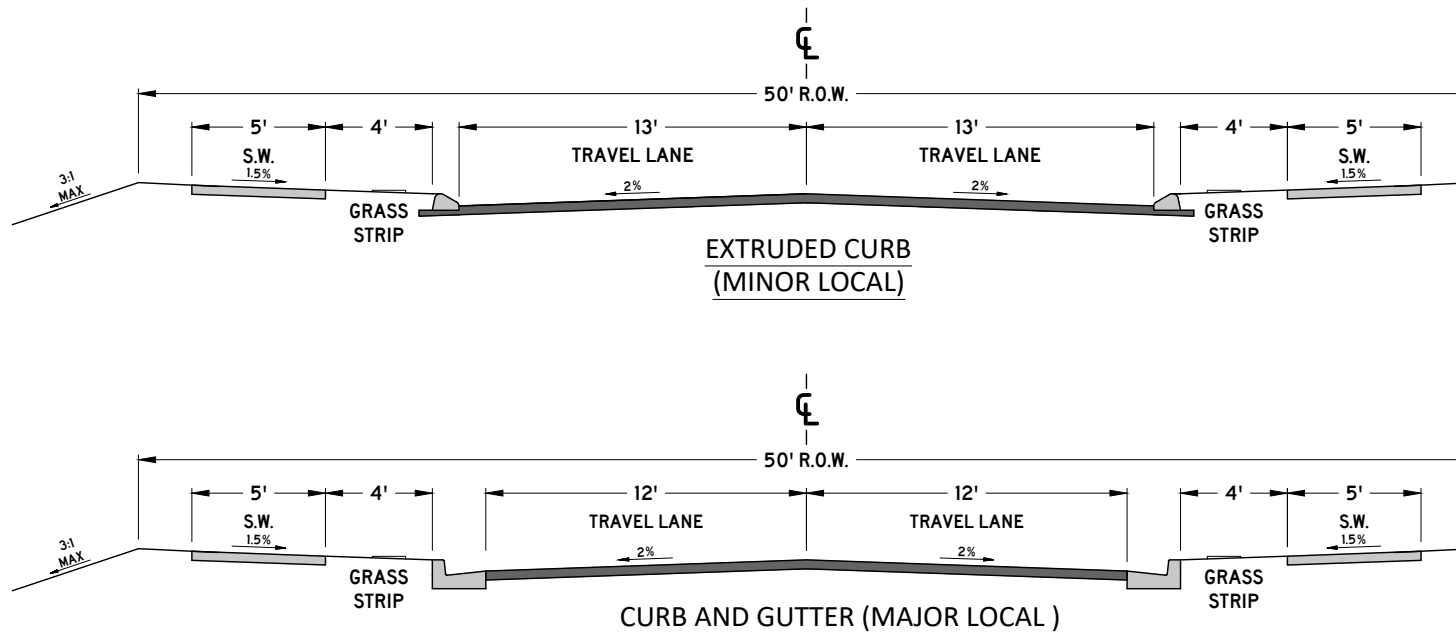
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
RURAL NEIGHBORHOOD
CURBED**
(NTS)

DATE
7/1/2024

DS-02



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

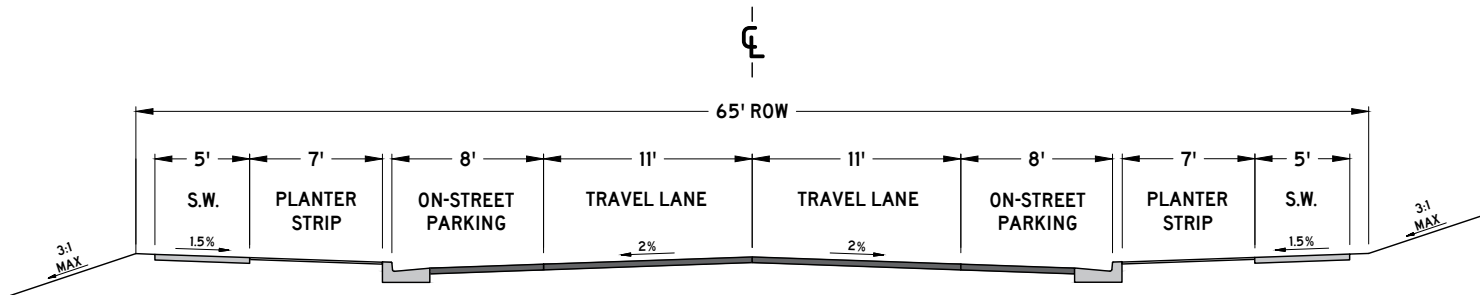
STANDARD DETAILS

**CHARACTER DISTRICT STREET
LARGE LOT NEIGHBORHOOD**

(NTS)

DATE
7/1/2024

DS-06



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



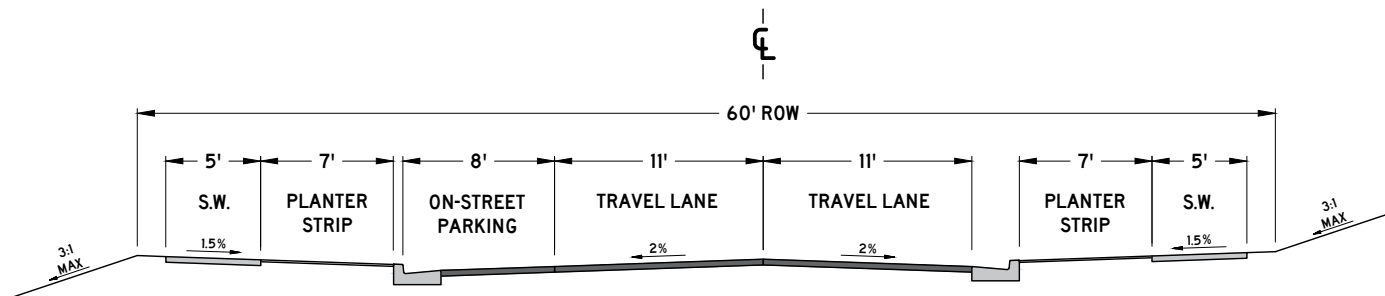
CITY OF COLUMBIA
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ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
SUBURBAN NEIGHBORHOOD
PARALLEL PARKING BOTH SIDES**
(NTS)

DATE
7/1/2024

DS-10



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
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ENGINEERING DIVISION

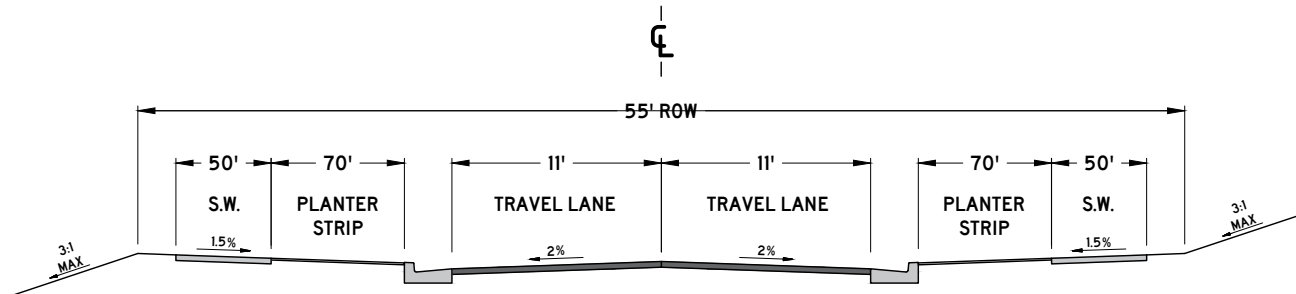
STANDARD DETAILS

**CHARACTER DISTRICT STREET
SUBURBAN NEIGHBORHOOD STREET
PARALLEL PARKING ONE SIDE**

(NTS)

DATE
7/1/2024

DS-11



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



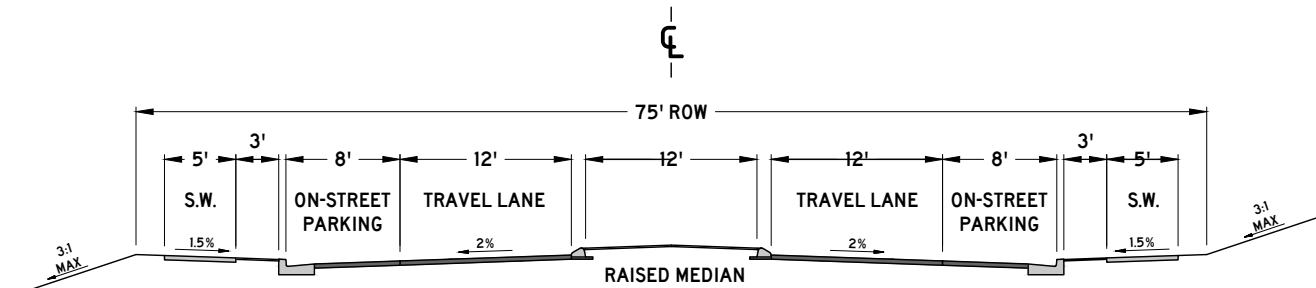
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
SUBURBAN NEIGHBORHOOD
NO PARALLEL PARKING**
(NTS)

DATE
7/1/2024

DS-12



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



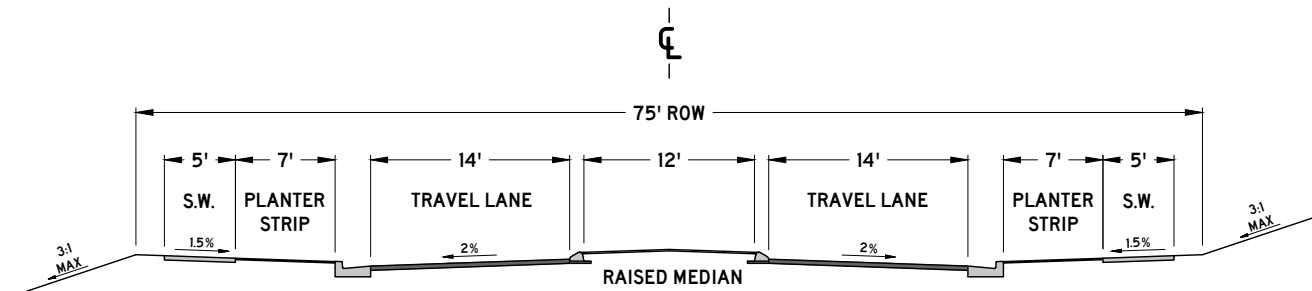
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
SUBURBAN BOULEVARD
PARALLEL PARKING BOTH SIDES
(NTS)**

DATE
7/1/2024

DS-13



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



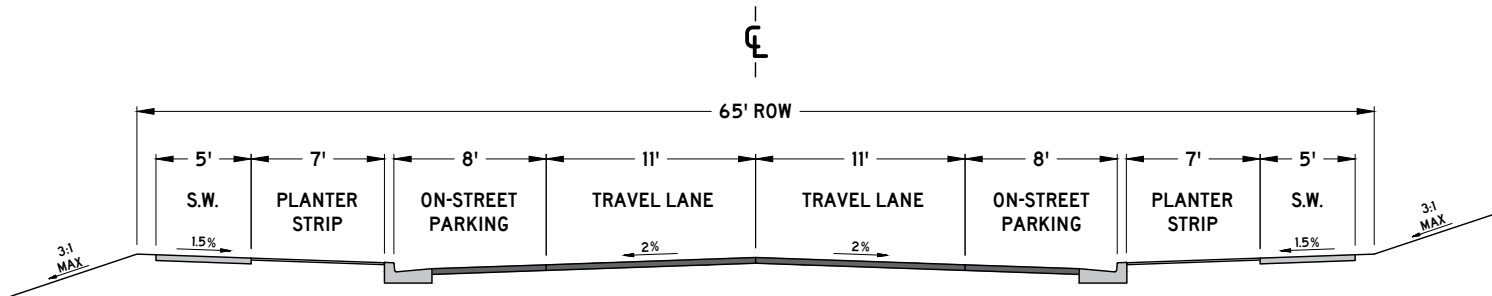
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DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
SUBURBAN BOULEVARD
NO PARALLEL PARKING**
(NTS)

DATE
7/1/2024

DS-14



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



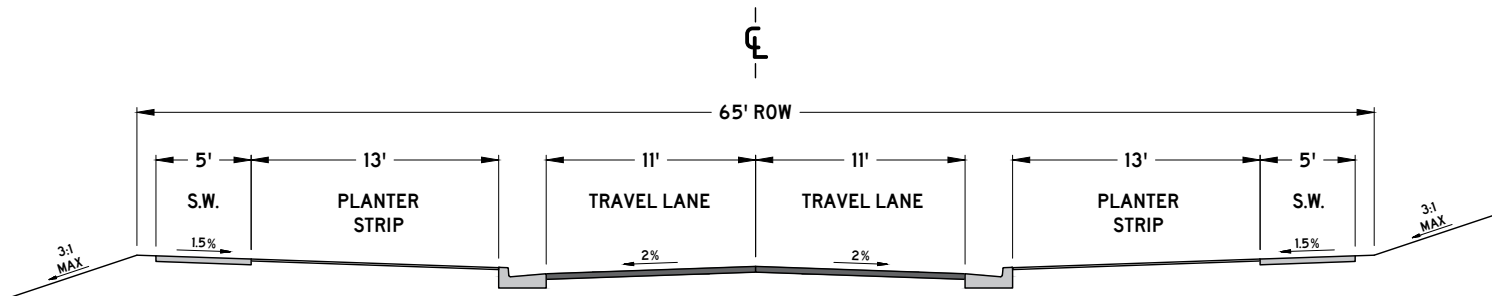
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DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN NEIGHBORHOOD
PARALLEL PARKING BOTH SIDES**
(NTS)

DATE
7/1/2024

DS-18



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



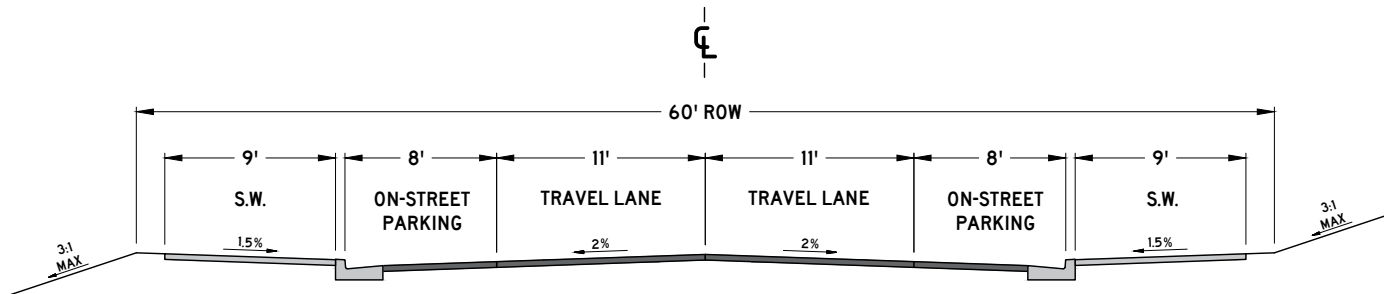
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN NEIGHBORHOOD
NO PARALLEL PARKING**
(NTS)

DATE
7/1/2024

DS-19



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



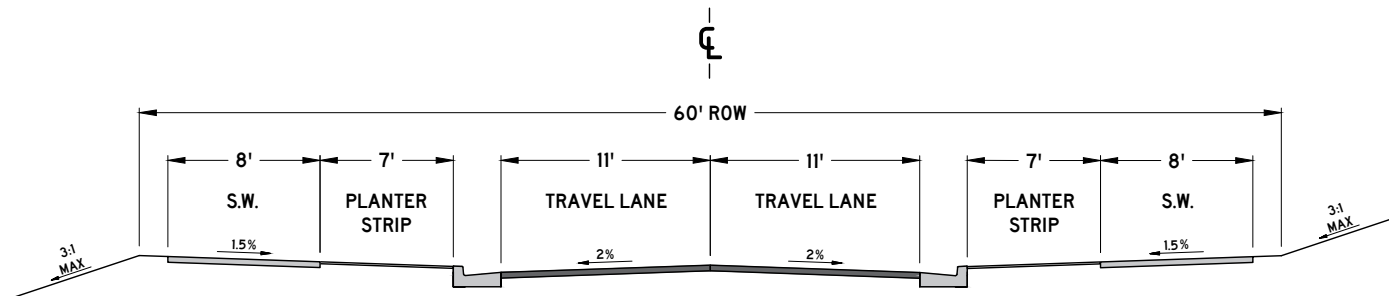
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN CENTER
PARALLEL PARKING BOTH SIDES**
(NTS)

DATE
7/1/2024

DS-20



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



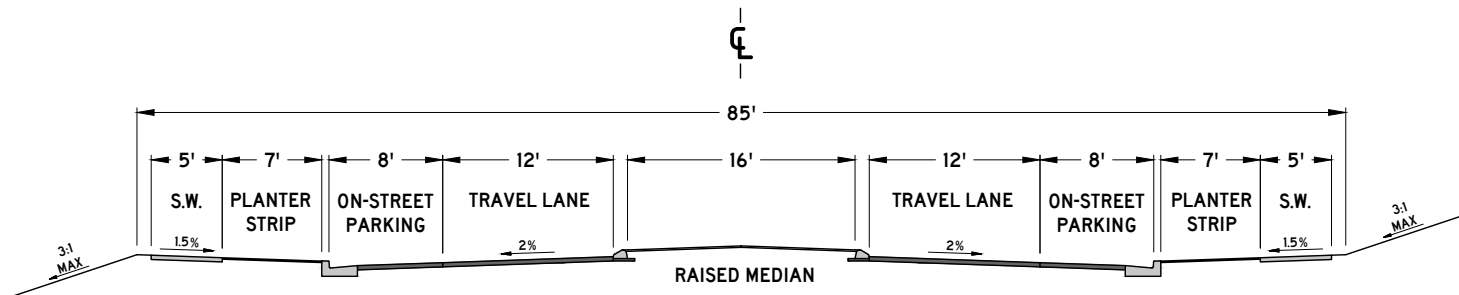
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN CENTER
NO PARALLEL PARKING**
(NTS)

DATE
7/1/2024

DS-20



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



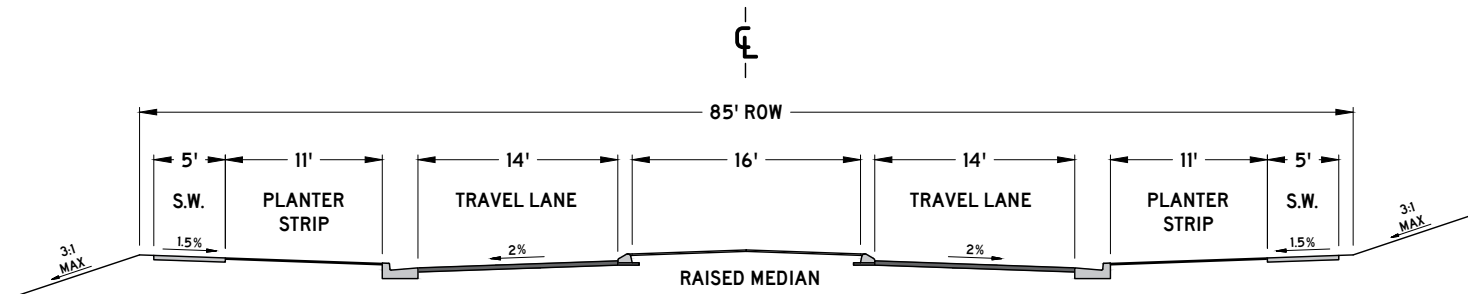
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN BOULEVARD
PARALLEL PARKING BOTH SIDES
(NTS)**

DATE
7/1/2024

DS-22



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



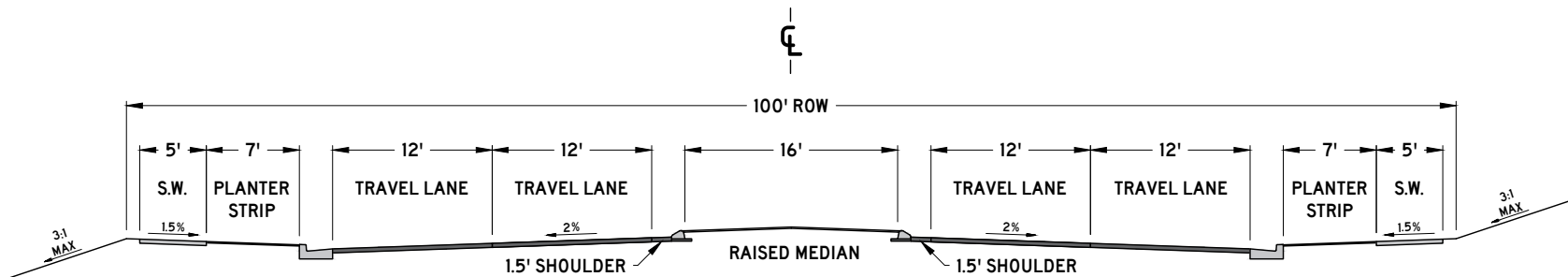
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN BOULEVARD
NO PARALLEL PARKING
(NTS)**

DATE
7/1/2024

DS-23



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



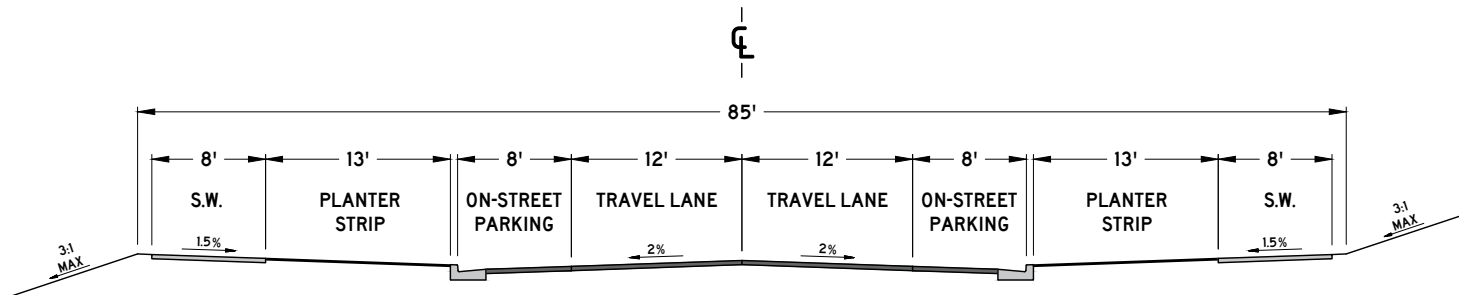
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN BOULEVARD
FOUR LANE
(NTS)**

DATE
7/1/2024

DS-24



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



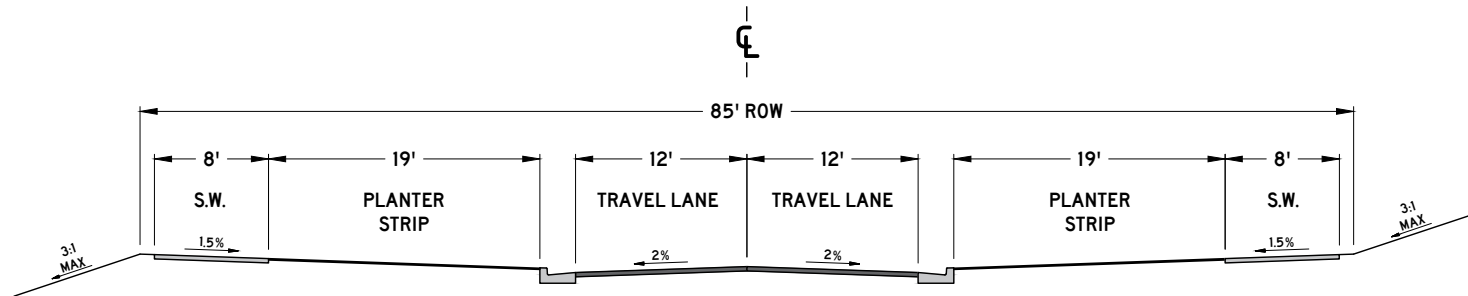
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN AVENUE
PARALLEL PARKING BOTH SIDES
(NTS)**

DATE
7/1/2024

DS-25



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



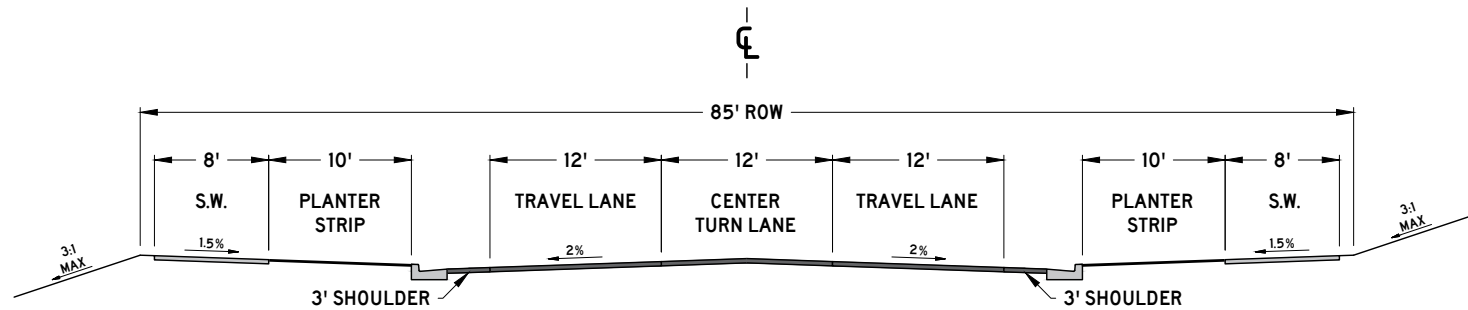
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN AVENUE
NO PARALLEL PARKING
(NTS)**

DATE
7/1/2024

DS-26



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



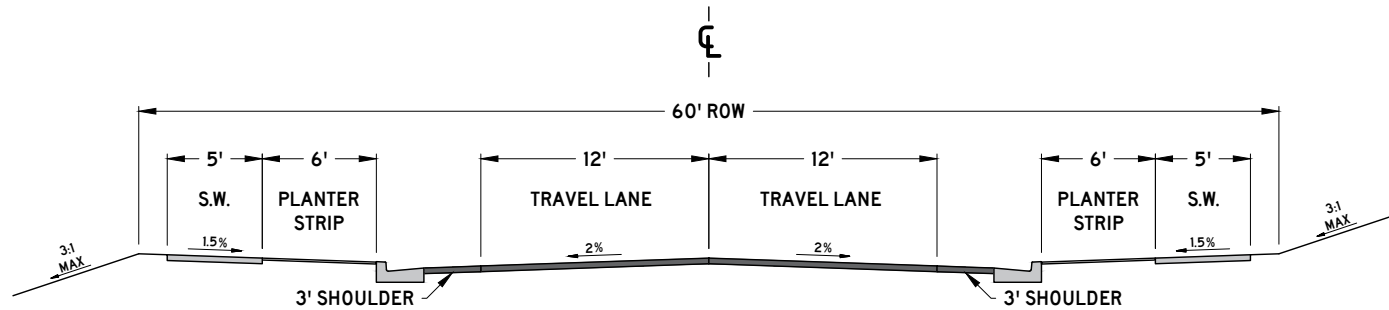
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
URBAN AVENUE
THREE LANE**
(NTS)

DATE
7/1/2024

DS-27



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



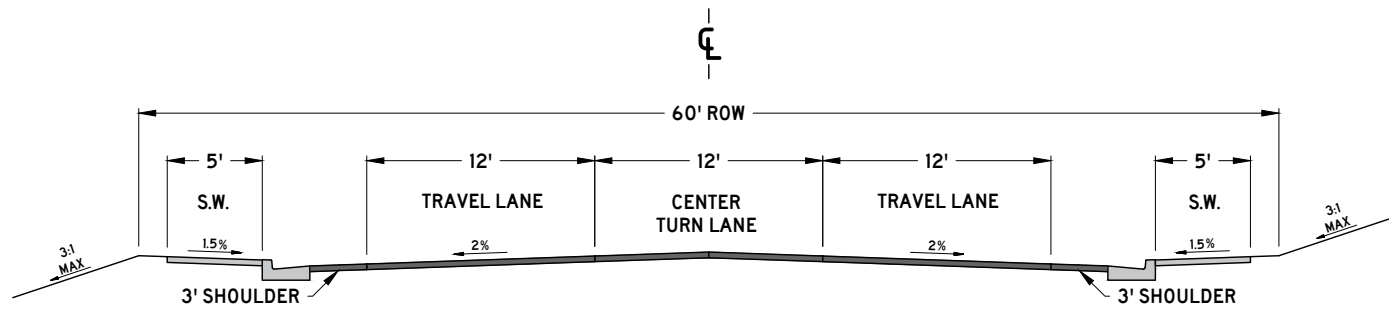
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
INDUSTRIAL
TWO LANE
(NTS)**

DATE
7/1/2024

DS-34



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON MINOR LOCAL AND MAJOR LOCAL ROADWAY CLASSIFICATIONS
3. PAVEMENT SECTION SHALL FOLLOW THE CORRESPONDING ROADWAY CLASSIFICATION'S STANDARD DETAIL
4. CURB AND GUTTER, SEE SD-01
5. EXTRUDED CURB, SEE SD-02
6. DECORATIVE LIGHT BASES SHALL BE BETWEEN 18" AND 24" BEHIND THE BACK OF CURB.
7. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
8. DIMENSIONS REFLECT A MINIMUM STANDARD
9. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



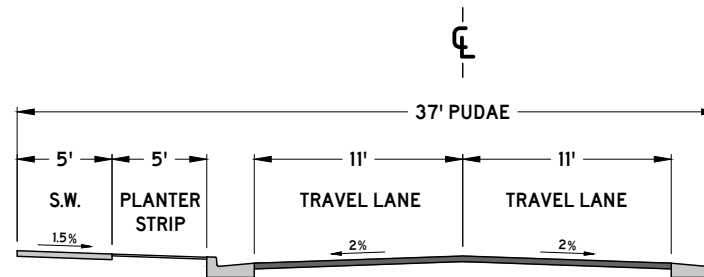
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

**CHARACTER DISTRICT STREET
INDUSTRIAL
THREE LANE**
(NTS)

DATE
7/1/2024

DS-35



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. PAVEMENT SECTION SHALL FOLLOW THE MINOR LOCAL ROADWAY CLASSIFICATION'S STANDARD DETAIL
3. CURB AND GUTTER, SEE SD-01
4. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
5. DIMENSIONS REFLECT A MINIMUM STANDARD
6. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER
7. SHALL BE ENCOMPASSED IN A PUBLIC UTILITY, DRAINAGE, AND ACCESS EASEMENT (PUDAE). ADDITIONAL EASEMENTS MAY BE REQUIRED.
8. ADDITIONAL ELEMENTS SUCH AS PLANTER STRIPS, TREE WELLS, PLANTERS, DECORATIVE LIGHTING, AND ANGLE PARKING MAY BE PROVIDED. DIMENSIONS AND PLACEMENT OF SUCH ELEMENTS SHALL BE DETERMINED BY THE CITY ENGINEER.
9. PLANTER STRIPS MAY BE SUBSTITUTED WITH AN EQUIVALENT WIDTH OF SIDEWALK WITH TREE WELLS OR PLANTERS.
10. SIDEWALK AND PLANTER STRIPS SHALL BE PROVIDED ON AT LEAST ONE SIDE AND ON ALL SIDES WHERE BUILDING ENFRONT THE INTERNAL DRIVE



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

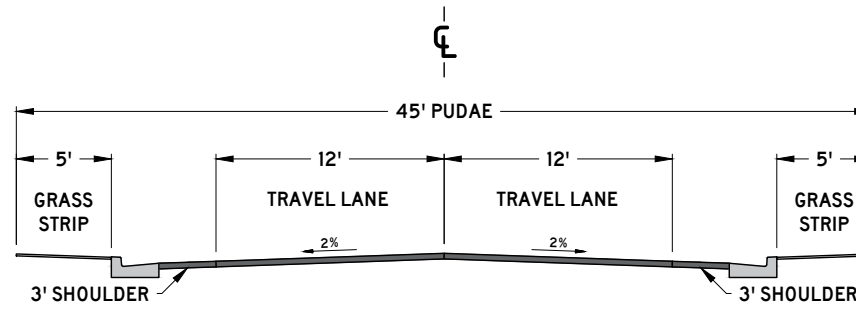
STANDARD DETAILS

**INTERNAL DRIVE
COMMERCIAL AND MIXED-USE**

(NTS)

DATE
7/1/2024

DS-39



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. PAVEMENT SECTION SHALL FOLLOW THE MAJOR LOCAL / INDUSTRIAL ROADWAY CLASSIFICATION'S STANDARD DETAIL
3. CURB AND GUTTER, SEE SD-01
4. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED
5. DIMENSIONS REFLECT A MINIMUM STANDARD
6. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER
7. SHALL BE ENCOMPASSED IN A PUBLIC UTILITY, DRAINAGE, AND ACCESS EASEMENT (PUDAE). ADDITIONAL EASEMENTS MAY BE REQUIRED.
8. ADDITIONAL ELEMENTS SUCH AS PLANTER STRIPS, TREE WELLS, PLANTERS, DECORATIVE LIGHTING, AND ANGLE PARKING MAY BE PROVIDED. DIMENSIONS AND PLACEMENT OF SUCH ELEMENTS SHALL BE DETERMINED BY THE CITY ENGINEER.



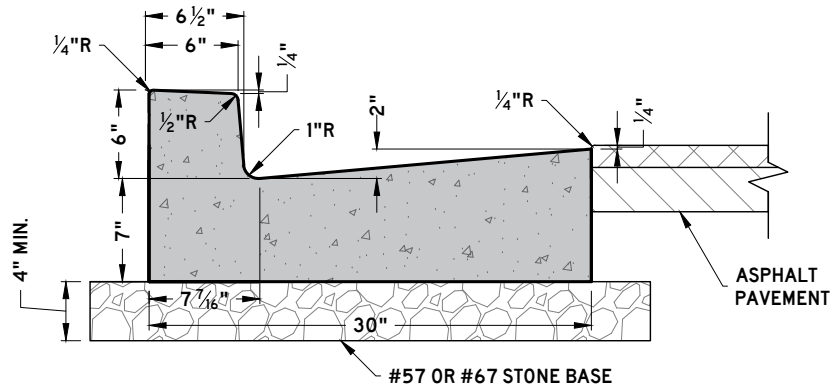
CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

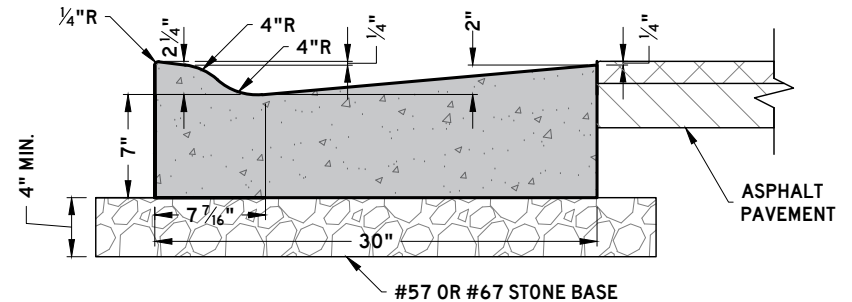
**INTERNAL DRIVE
INDUSTRIAL
ELEMENTS MAY VARY**
(NTS)

DATE
7/1/2024

DS-40



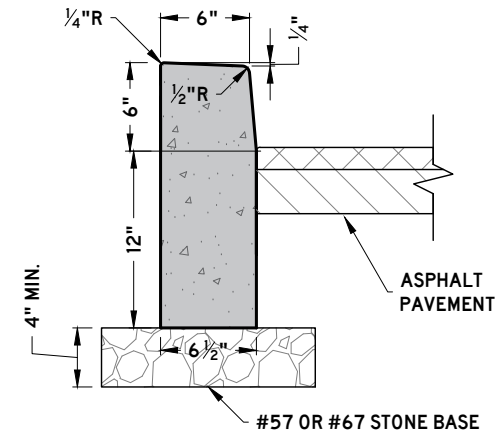
6-30 CONCRETE CURB AND GUTTER



LOWERED CONCRETE CURB AND GUTTER

NOTES:

1. BASED ON TDOT STANDARD DRAWING RP-VC-11
2. ONLY PERMITTED IN APPLICABLE ROADWAY SECTIONS
3. 4" MIN. THICK #57 OR # 67 STONE BASE
4. CLASS A 3000 PSI CONCRETE
5. EXPANSION JOINTS SHALL BE AS FOLLOWS:
 - 5.1. 1/2 INCH THICK
 - 5.2. A MAXIMUM SPACING OF 100 FEET
 - 5.3. AT TANGENTS OF ALL RADII OF CURVES
 - 5.4. BETWEEN CURBS AND ANY RIGID OBJECTS
 - 5.5. ALIGNED WITH ADJACENT EXPANSION JOINTS
 - 5.6. RUBBERIZED EXPANSION JOINT FILLER (AASHTO M153, TYPE 1)
 - 5.7. POLYPROPYLENE FOAM JOINT FILLER (ASTM D8139)
6. CONTRACTION JOINTS SHALL BE AS FOLLOWS:
 - 6.1. A MAXIMUM SPACING OF 10 FEET
 - 6.2. A MINIMUM SPACING OF 6 FEET
 - 6.3. 1/4 INCH DEPTH, EITHER SAWCUT OR HAND GROOVED.
7. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



VERTICAL POST CURB



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

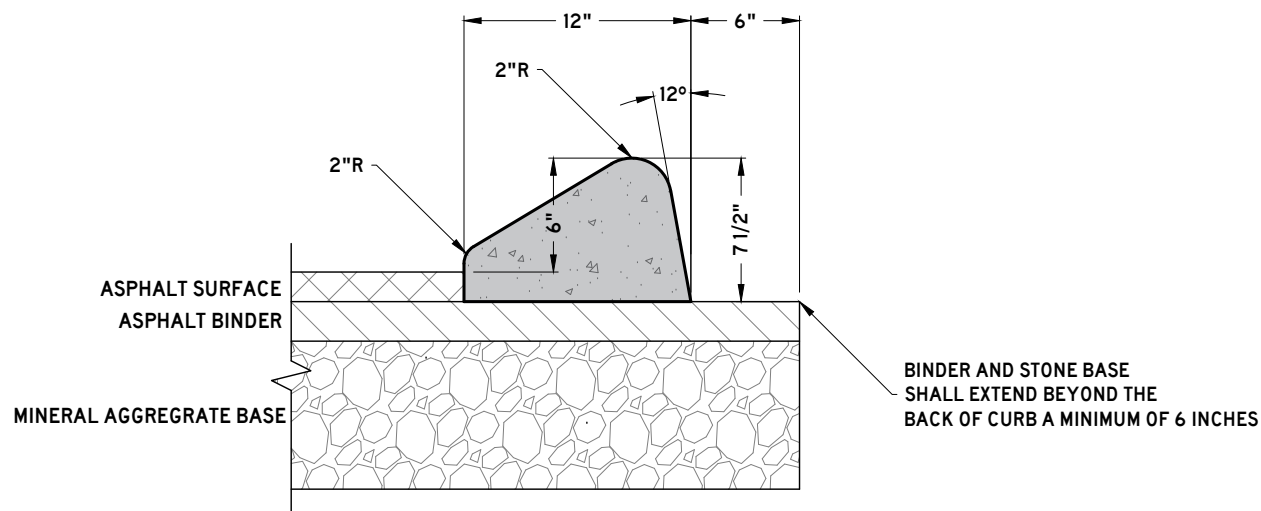
STANDARD DETAILS

**CURB AND GUTTER
AND POST CURB**

(NTS)

DATE
6/9/2022

SD-01



NOTES:

1. BASED ON TDOT STANDARD DRAWING RP-SC-1
2. ONLY PERMITTED IN APPLICABLE ROADWAY SECTIONS
3. CLASS A 3000 PSI CONCRETE
4. CONTRACTION JOINTS SHALL BE AS FOLLOWS:
 - 4.1. A MAXIMUM SPACING OF 10 FEET
 - 4.2. A MINIMUM SPACING OF 6 FEET
 - 4.3. 1/4 INCH DEPTH, EITHER SAWCUT OR HAND GROOVED.
5. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

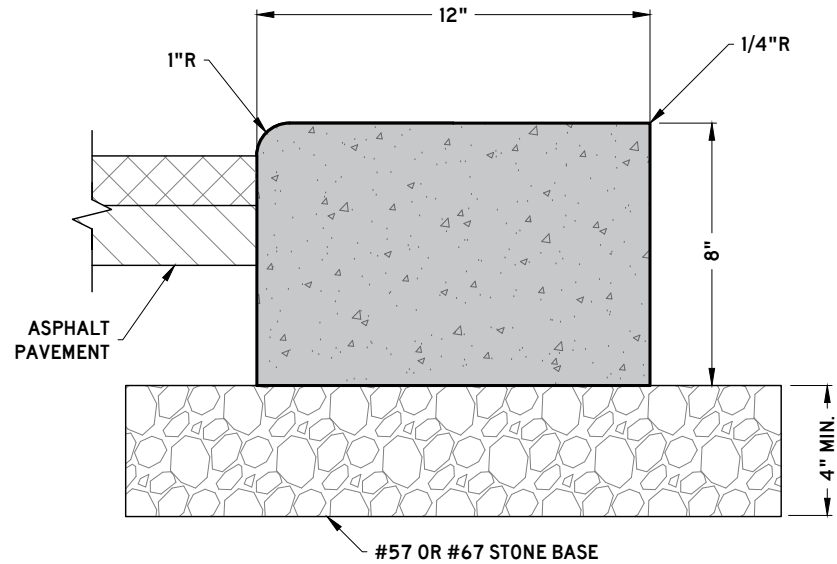
STANDARD DETAILS

EXTRUDED MOUNTABLE CURB

(NTS)

DATE
6/9/2022

SD-02



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. ONLY PERMITTED ON ALLEYS
3. CLASS A 3000 PSI CONCRETE
4. EXPANSION JOINTS SHALL BE AS FOLLOWS:
 - 4.1. 1/2 INCH THICK
 - 4.2. A MAXIMUM SPACING OF 100 FEET
 - 4.3. AT TANGENTS OF ALL RADII OF CURVES
 - 4.4. BETWEEN CURBS AND ANY RIGID OBJECTS
 - 4.5. ALIGNED WITH ADJACENT EXPANSION JOINTS
 - 4.6. RUBBERIZED EXPANSION JOINT FILLER (AASHTO M153, TYPE 1)
 - 4.7. POLYPROPYLENE FOAM JOINT FILLER (ASTM D8139)
5. CONTRACTION JOINTS SHALL BE AS FOLLOWS:
 - 5.1. A MAXIMUM SPACING OF 10 FEET
 - 5.2. A MINIMUM SPACING OF 6 FEET
 - 5.3. 1/4 INCH DEPTH, EITHER SAWCUT OR HAND GROOVED.
6. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

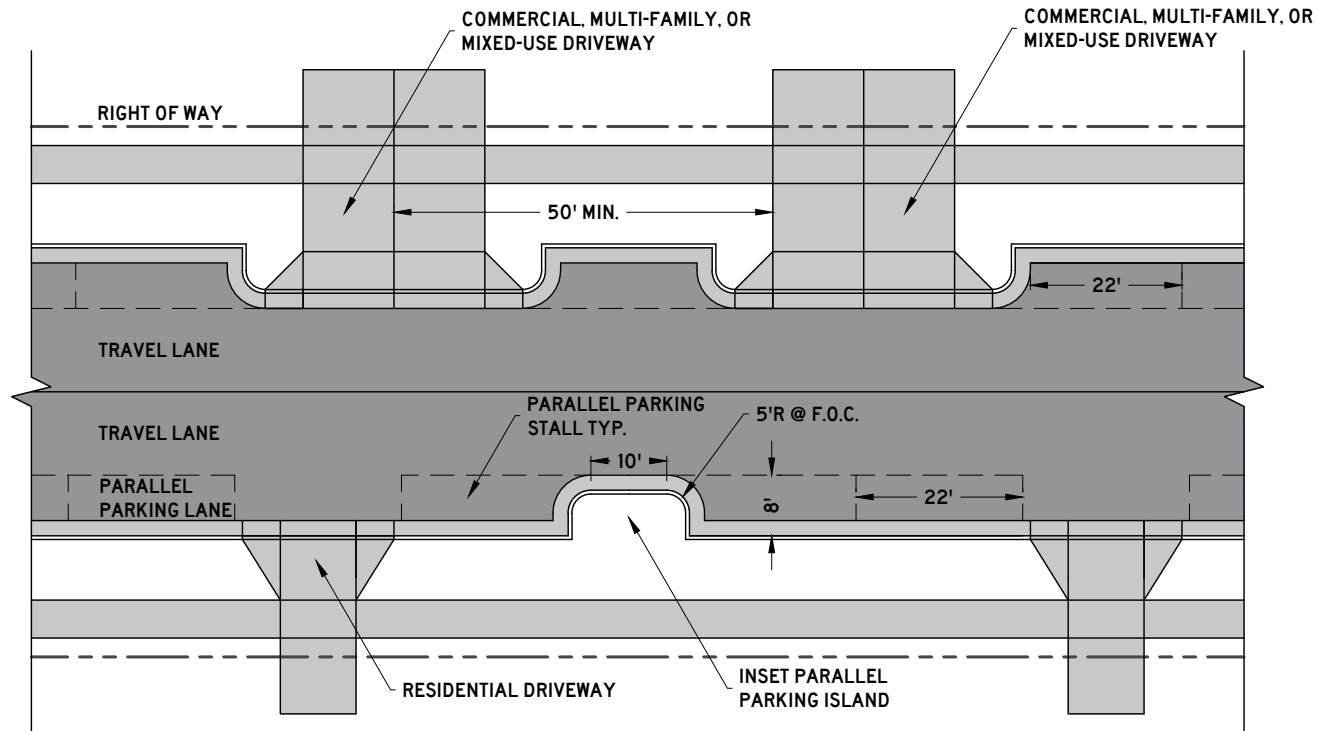
STANDARD DETAILS

RIBBON CURB

(NTS)

DATE
6/9/2022

SD-03



NOTES:

1. ONLY PERMITTED WITHIN THE APPLICABLE ZONING DISTRICTS
2. PARKING ISLANDS SHALL BE PROVIDED EVERY 220 FEET AT MINIMUM.
3. PARKING ISLANDS SHALL BE PROVIDED AT EVERY INTERSECTION.
4. COMMERCIAL, MULTI-FAMILY, AND MIXED-USE DRIVEWAYS SHALL REQUIRE PARKING ISLANDS ADJACENT TO THE DRIVEWAY.
5. RESIDENTIAL DRIVEWAYS SHALL NOT REQUIRE PARKING ISLANDS ADJACENT TO THE DRIVEWAY, BUT SHALL BE LOCATED BETWEEN PARKING STALLS WHERE PRACTICABLE.
6. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

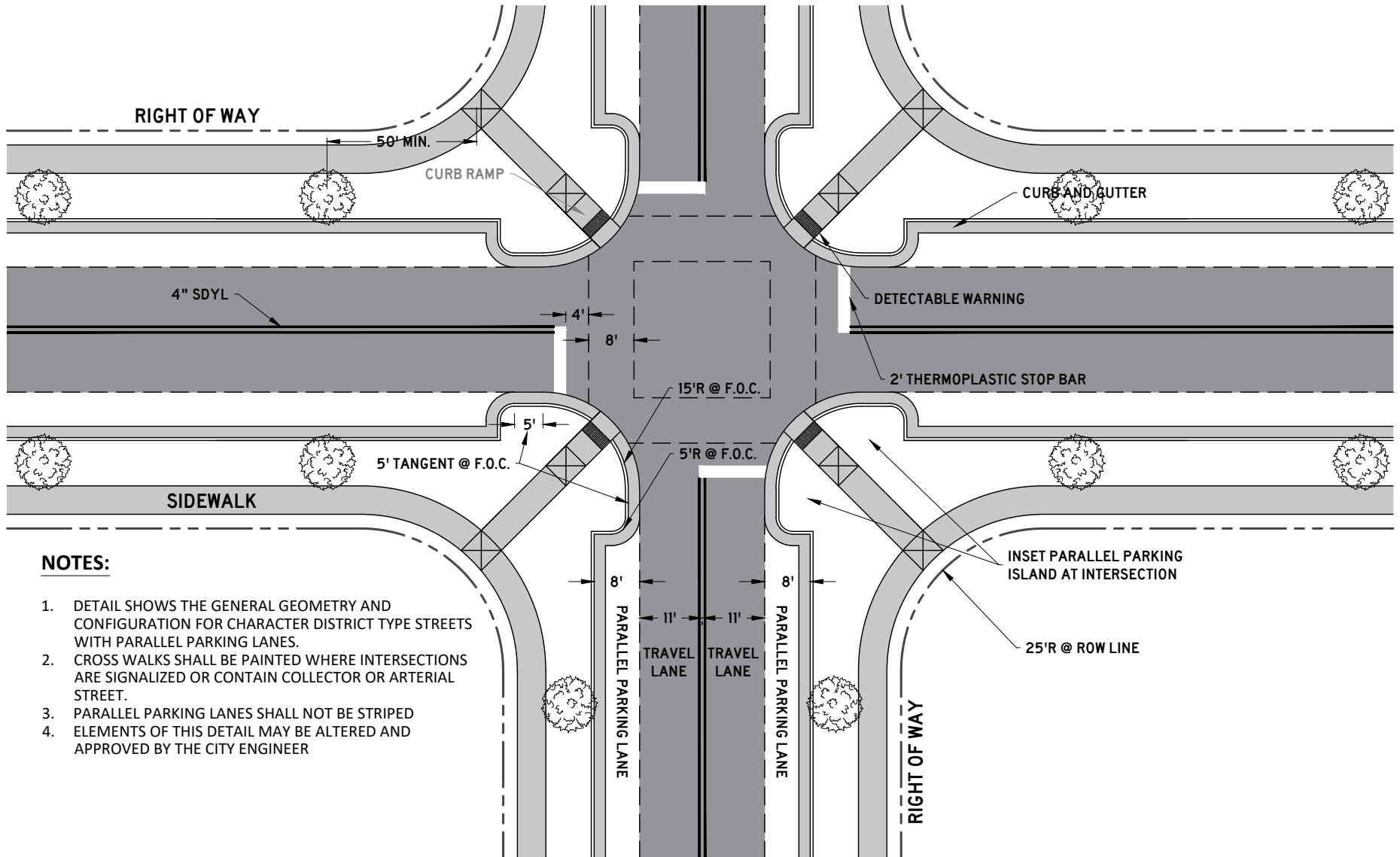
STANDARD DETAILS

INSET PARALLEL PARKING AND ISLANDS

(NTS)

DATE
6/9/2022

SD-06



NOTES:

1. DETAIL SHOWS THE GENERAL GEOMETRY AND CONFIGURATION FOR CHARACTER DISTRICT TYPE STREETS WITH PARALLEL PARKING LANES.
2. CROSS WALKS SHALL BE PAINTED WHERE INTERSECTIONS ARE SIGNALIZED OR CONTAIN COLLECTOR OR ARTERIAL STREET.
3. PARALLEL PARKING LANES SHALL NOT BE STRIPED
4. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

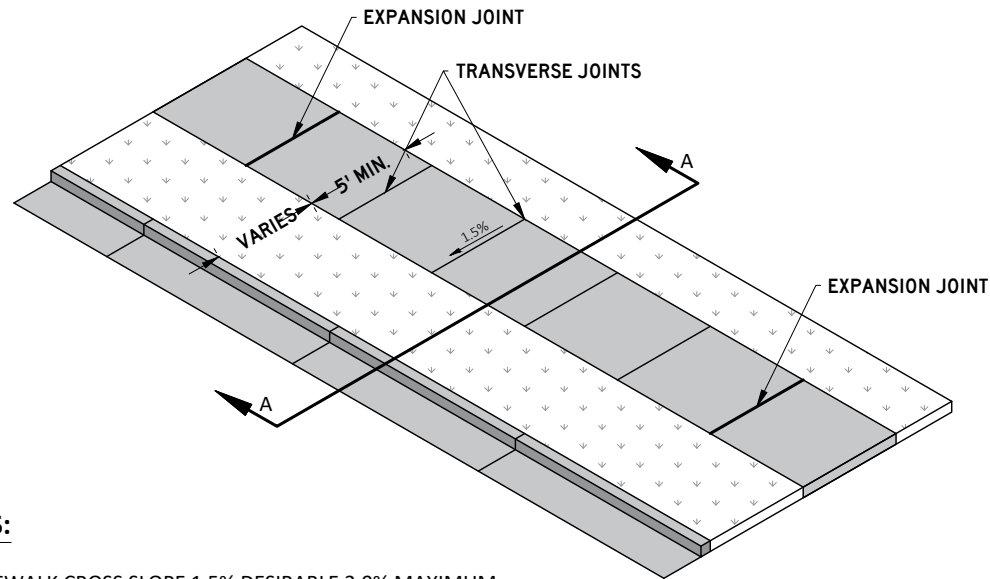
STANDARD DETAILS

INTERSECTION CONFIGURATION AND GEOMETRY

(NTS)

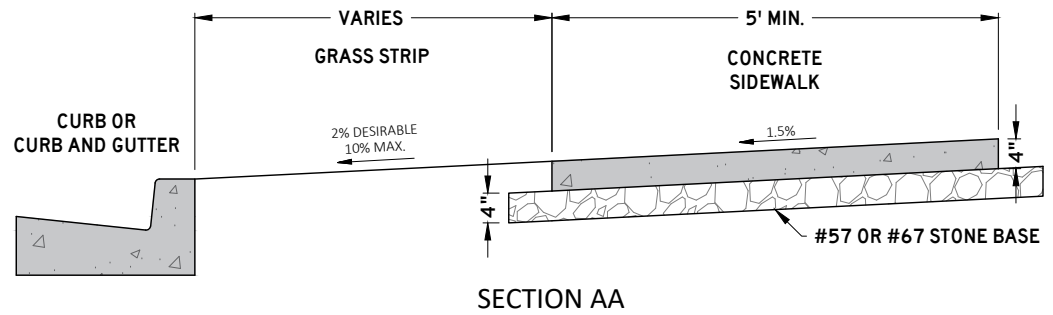
DATE
6/9/2022

SD-07



NOTES:

1. SIDEWALK CROSS SLOPE 1.5% DESIRABLE 2.0% MAXIMUM.
2. SIDEWALK GRADE SHALL FOLLOW THE ROAD GRADE WHERE POSSIBLE.
3. 4" MIN. THICK #57 OR # 67 STONE BASE
4. 4" MIN. THICKNESS CLASS A 3000 PSI CONCRETE WITH FIBER REINFORCEMENT, BROOM FINISHED.
5. EXPANSION JOINTS SHALL BE AS FOLLOWS:
 - 5.1. 1/2 INCH THICK
 - 5.2. A MAXIMUM SPACING OF 25 FEET
 - 5.3. AT TANGENTS OF ALL RADII OF CURVES
 - 5.4. BETWEEN CURBS AND ANY RIGID OBJECTS
 - 5.5. ALIGNED WITH ADJACENT EXPANSION JOINTS
 - 5.6. RUBBERIZED EXPANSION JOINT FILLER (AASHTO M153, TYPE 1)
 - 5.7. POLYPROPYLENE FOAM JOINT FILLER (ASTM D8139)
6. PROVIDE TRANSVERSE JOINTS AS NEARLY AS SQUARE AS PRACTICABLE. ON SIDEWALKS GREATER THAN 8 FEET IN WIDTH, PROVIDE A LONGITUDINAL JOINT ALONG THE CENTERLINE OF THE SIDEWALK.
7. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

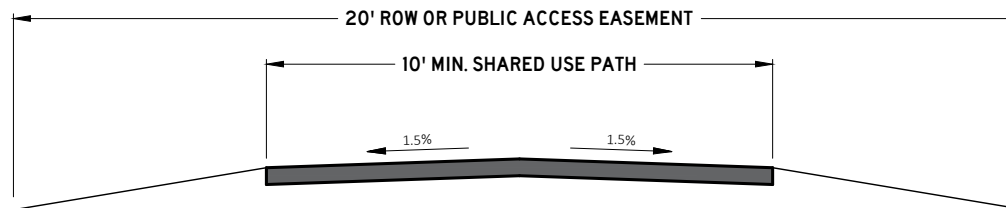
STANDARD DETAILS

CONCRETE SIDEWALK

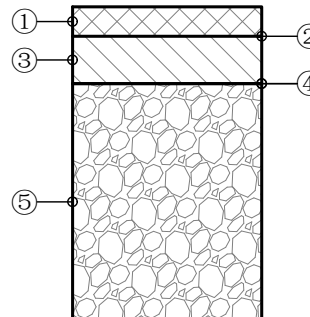
(NTS)

DATE
6/9/2022

SD-10



PAVEMENT SCHEDULE	
①	SURFACE @ 1.5" THICK 411-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING D (SURFACE), OR 307-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING C-W (SURFACE)
②	TACK COAT (GENERAL USE) 403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY)
③	BIT. BINDER @ 2" THICK 307-01.08 ASPHALT CONCRETE MIX (PG64-22) (BPM-B-HM) GRADING B-M2
④	PRIME COAT 402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY) 402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY)
⑤	MINERAL AGGREGATE BASE @ 6" THICK 303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D



NOTES:

1. CROSS SLOPE 1.5% DESIRABLE 2.0% MAXIMUM.
2. MAY BE GRADED TO DRAIN TO ONE DIRECTION, OR CROWNED AS SHOWN.
3. WHERE ADJACENT TO A ROADWAY, PATH SHALL BE GRADED TO DRAIN TOWARDS CURB LINE.
4. CONCRETE PAVEMENT ALLOWED, SEE SD-10 FOR CONSTRUCTION METHODS AND MATERIALS.
5. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

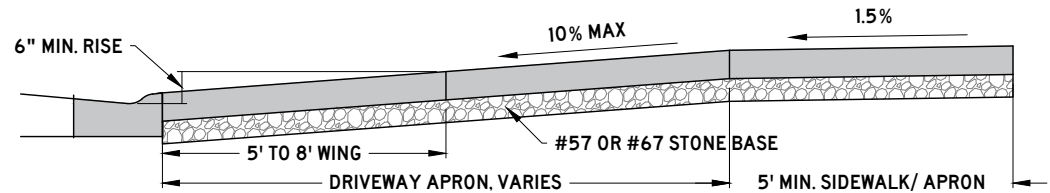
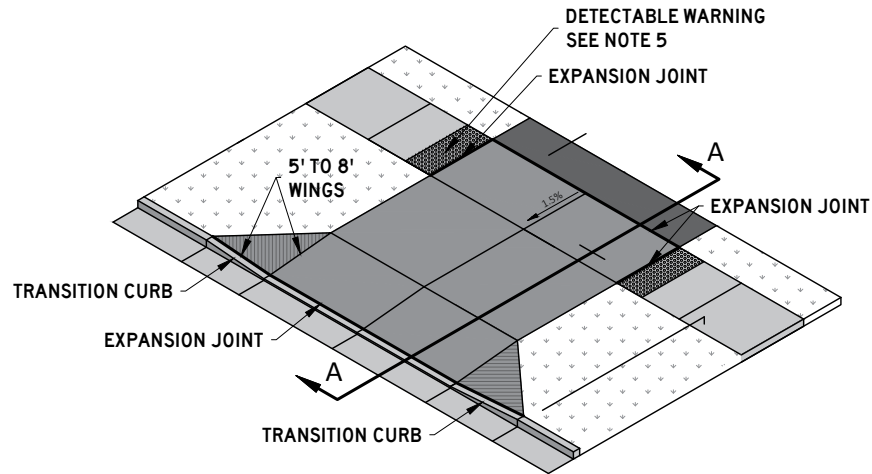
STANDARD DETAILS

SHARED USE PATH

(NTS)

DATE
6/9/2022

SD-11



SECTION AA

NOTES:

1. SIDEWALK CROSS SLOPE 1.5% DESIRABLE 2.0% MAXIMUM.
2. APRON SLOPE 2.0% MIN. 10% MAX. MINIMUM OF 6" RISE ABOVE GUTTER LINE.
3. 4" MIN. THICK #57 OR # 67 STONE BASE
4. CLASS A 3000 PSI CONCRETE WITH FIBER REINFORCEMENT
 - 4.1. 6" MIN. THICKNESS RESIDENTIAL.
 - 4.2. 8" MIN. THICKNESS COMMERCIAL, MULTI-FAMILY, AND MIXED-USE.
5. EXPANSION JOINTS SHALL BE AS FOLLOWS:
 - 5.1. 1/2 INCH THICK.
 - 5.2. RUBBERIZED EXPANSION JOINT FILLER (AASHTO M153, TYPE 1).
 - 5.3. POLYPROPYLENE FOAM JOINT FILLER (ASTM D8139).
6. DETECTABLE WARNINGS WHERE DRIVEWAY IS STOP CONTROLLED.
7. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

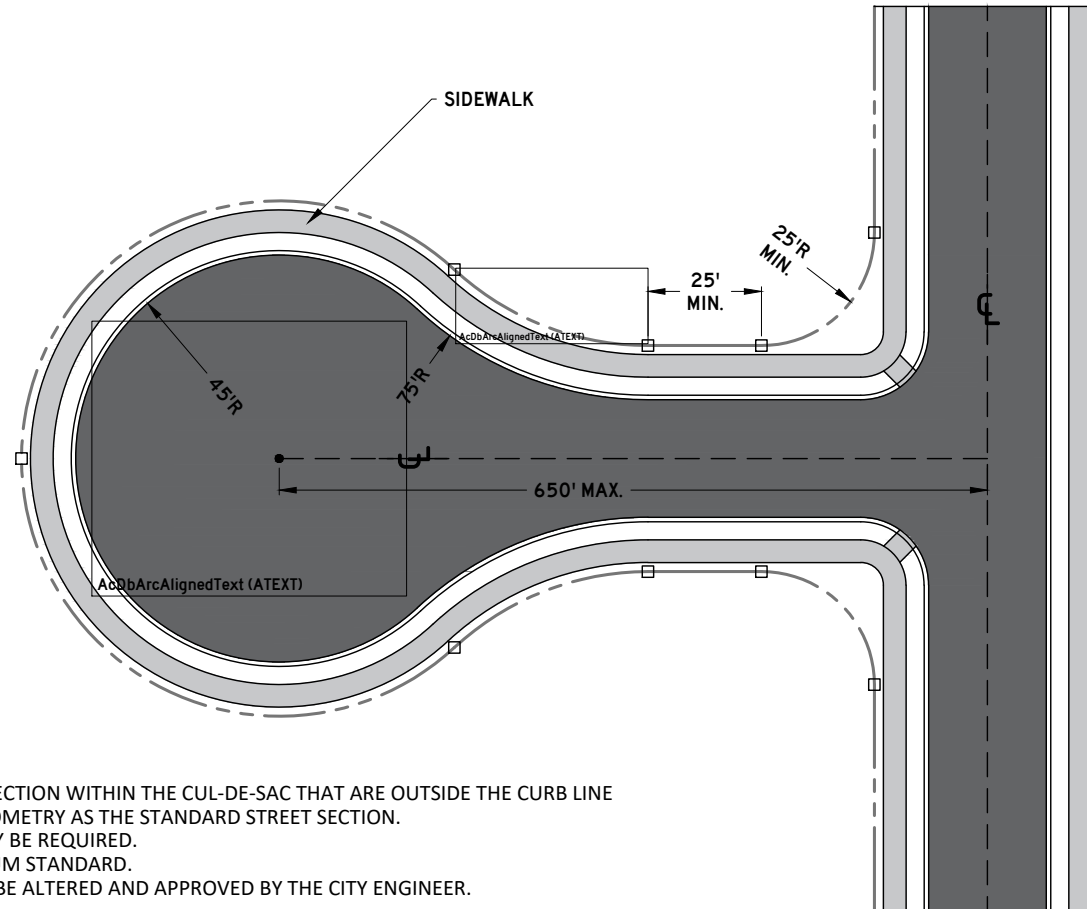
STANDARD DETAILS

DRIVEWAY APRON

(NTS)

DATE
6/9/2022

SD-12



NOTES:

1. ALL ELEMENTS OF THE STREET SECTION WITHIN THE CUL-DE-SAC THAT ARE OUTSIDE THE CURB LINE SHALL MAINTAIN THE SAME GEOMETRY AS THE STANDARD STREET SECTION.
2. ADDITIONAL RIGHT OF WAY MAY BE REQUIRED.
3. DIMENSIONS REFLECT A MINIMUM STANDARD.
4. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER.



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

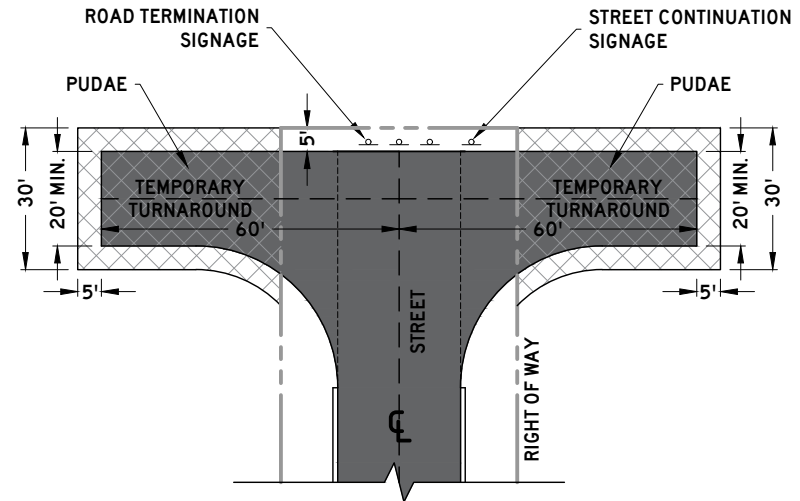
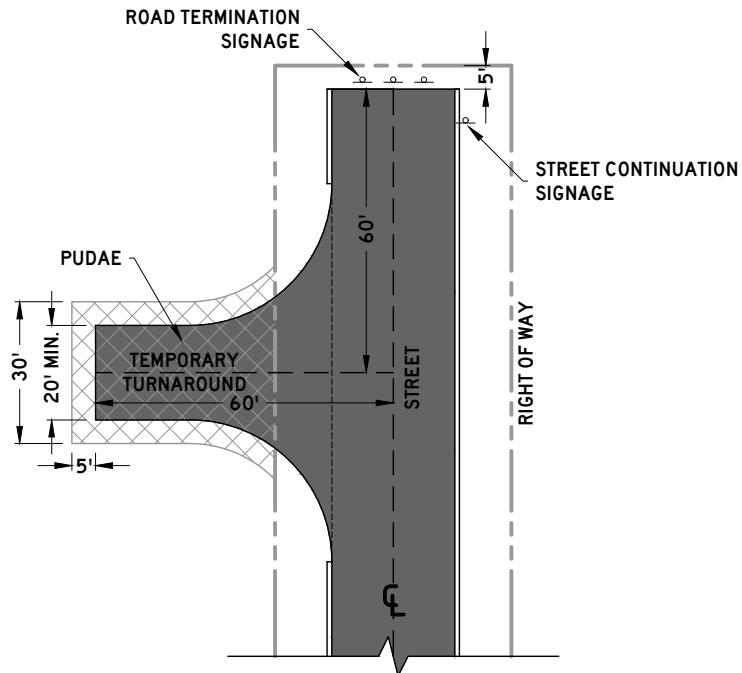
STANDARD DETAILS

CUL-DE-SAC

(NTS)

DATE
6/9/2022

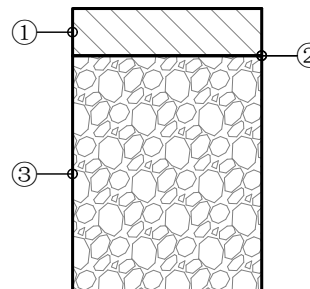
SD-15



NOTES:

1. TEMPORARY TURNAROUNDS SHALL BE SHOWN ON ALL FINAL PLATS AND DEVELOPMENT PLANS WHERE REQUIRED
2. TEMPORARY TURNAROUNDS SHALL BE CONSTRUCTED PRIOR TO FINAL PLAT APPROVAL
3. TERMINATION AND STREET CONTINUATION SIGNAGE SHALL BE INSTALLED PRIOR TO FINAL PLAT APPROVAL
4. TURNAROUNDS SHALL BE CONSTRUCTED TO DRAIN
5. IF A CONNECTION IS NOT MADE TO ALLOW FOR THE REMOVAL OF THE TURNAROUND PRIOR TO STREET FINAL SURFACING, THE TURNAROUND SHALL BE SURFACED, CURBED, AND STRIPED WITH NO PARKING HATCHING.
6. ONCE ROADWAY CONNECTION IS MADE TO ALLOW FOR REMOVAL, THE TURNAROUND SHALL BE REMOVED PRIOR TO ANY FINAL PLAT OR FURTHER PERMITS BEING ISSUED.
7. DIMENSIONS REFLECT A MINIMUM STANDARD
8. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER

PAVEMENT SCHEDULE	
①	BIT. BINDER @ 2" THICK 307-01.08 ASPHALT CONCRETE MIX (PG64-22) (BPMB-HM) GRADING B-M2
②	PRIME COAT 402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY) 402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY)
③	MINERAL AGGREGATE BASE @ 8" THICK 303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

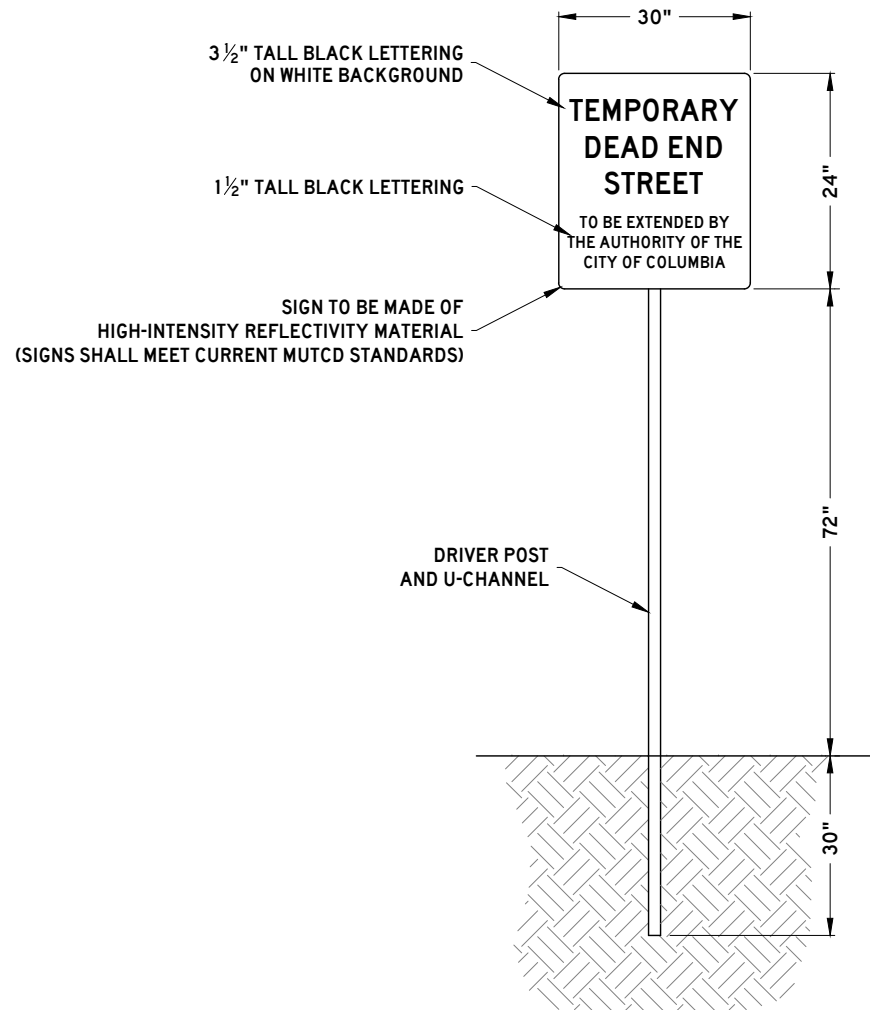
STANDARD DETAILS

TEMPORARY TURNAROUND

(NTS)

DATE
6/9/2022

SD-16



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

STREET CONTINUATION SIGNAGE

(NTS)

DATE
6/9/2022

SD-19

TYPE	TDOT STANDARD DRAWING OR CASTING MODEL
CURB INLET CATCH BASINS	TDOT CB SERIES NOS. 10, 11, 12, 13, 14, 16, 17
CURB AND GUTTER INLET CASTINGS	JB&S 3080
EXTRUDED CURB INLET CASTINGS	JB&S 3103
AREA DRAIN CATCH BASINS	TDOT CB SERIES NOS. 38, 39, 40, 42, 43
AREA DRAIN CASTINGS	TDOT CBB-42
JUNCTION BOXES	TDOT JBS SERIES NOS. 1, 2, 3, 4, AND 5
MANHOLES	TDOT MH SERIES NOS. 2, 3, 4, 5, 6, 7 AND TDOT RF-1
TRENCH DRAINS	TDOT TD-1
CONCRETE PIPE INSTALLATION	TDOT PB-1
FLEXIBLE PIPE INSTALLATION	TDOT PB-2
OVAL AND ARCH PIPES	TDOT PO-1
SAFETY CROSS DRAIN ENDWALLS	TDOT PE SERIES
SAFETY SIDE DRAIN ENDWALLS	TDOT SEW SERIES AND TDOT MSE-1
PROTECTED ENDWALLS	TDOT PE, PEW SERIES
FLUMES	TDOT FLU-1



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

INLETS, CASTINGS, STRUCTURES, AND PIPES

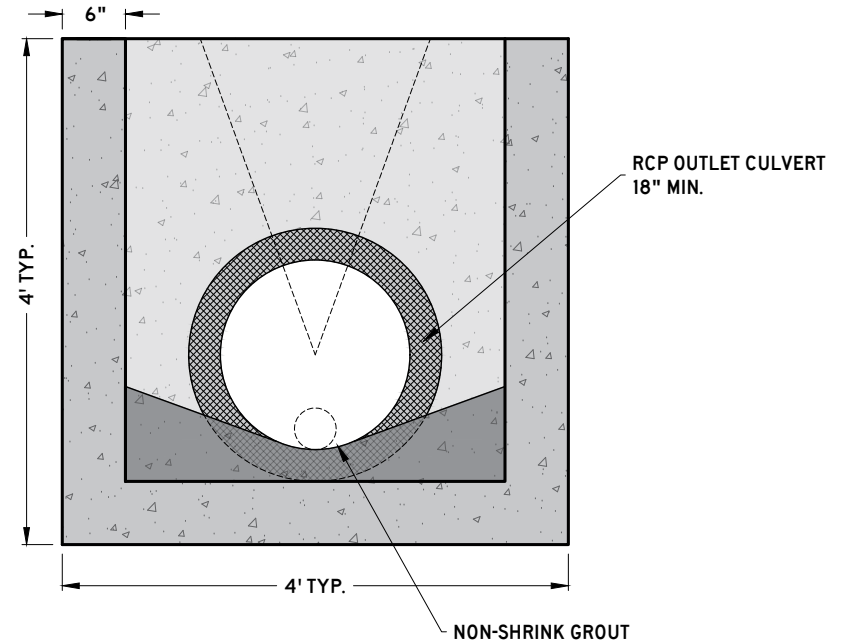
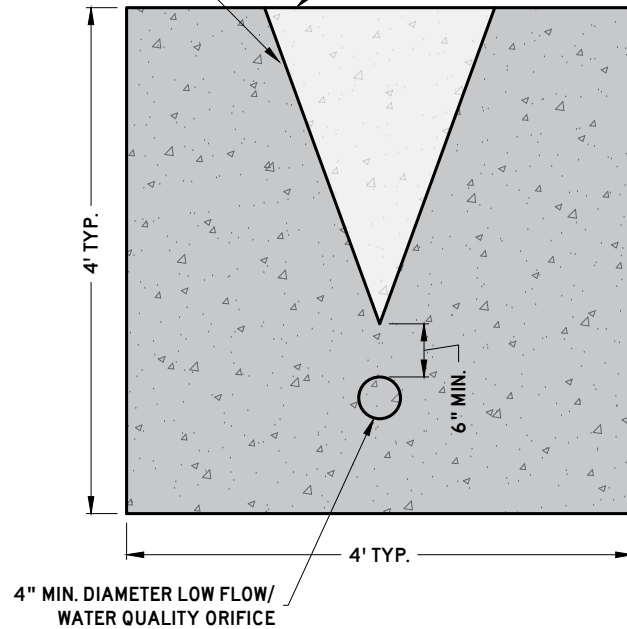
(NTS)

DATE
6/9/2022

DD-01

PRIMARY FLOW CONTROL WEIR
RECTANGULAR, CIPOLETTI,
OR V-NOTCH PREFERRED

TOP OF BOX AND
RECTANGULAR WEIR OVERFLOW



NOTES:

1. OUTLET CONTROL STRUCTURES SHALL MEET STORMWATER REGULATIONS AND TDEC WATER QUALITY REQUIREMENTS FOR DETENTION/RETENTION PONDS.
2. WHERE A DIAMETER LESS THAN 4 INCHES FOR THE LOW FLOW/WATER QUALITY ORIFICE IS REQUIRED, A STANDPIPE SHALL BE ATTACHED TO PROVIDE THE NECESSARY FLOW RESTRICTION.
3. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER.



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

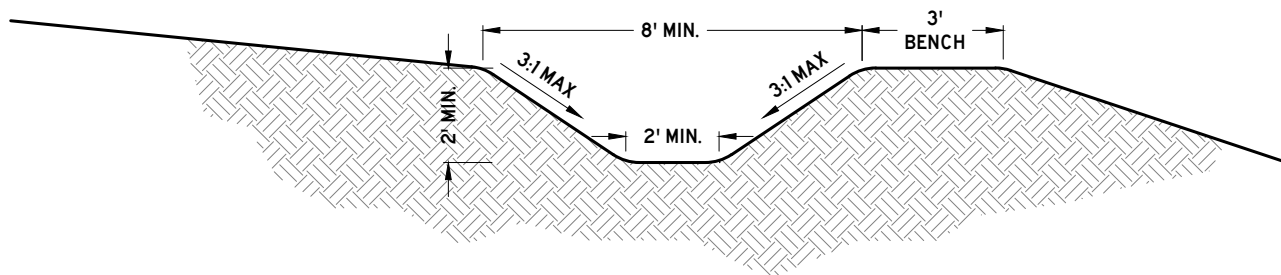
STANDARD DETAILS

OUTLET CONTROL STRUCTURE

(NTS)

DATE
6/9/2022

DD-02



NOTES:

1. DITCHES SHALL BE STABILIZED WITH APPROPRIATELY DESIGNED SOFT ARMORING.
2. RIP-RAP OR OTHER HARD ARMORING TECHNIQUES ARE DISCOURAGED AND SHALL ONLY BE APPROVED WHEN ALL OTHER MEANS OF STABILIZATION ARE EXHAUSTED.
3. FLOW LINE GRADE SHALL NOT BE LESS THAN 1.0%
4. FLOW LINE GRADE SHALL NOT BE MORE THAN 7.5%
5. WHERE PLACED ON A SLOPE, A BENCH OF MINIMUM WIDTH OF 3 FEET SHALL BE PROVIDED.
6. A MINIMUM OF 6 INCHES OF FREEBOARD ABOVE THE DESIGN FLOW DEPTH SHALL BE PROVIDED.
7. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER.



CITY OF COLUMBIA
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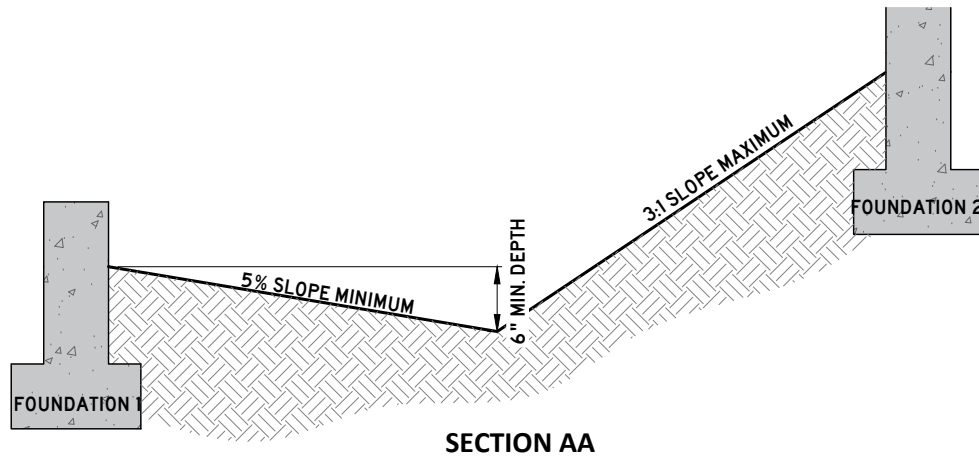
STANDARD DETAILS

TRAPEZOIDAL DITCH

(NTS)

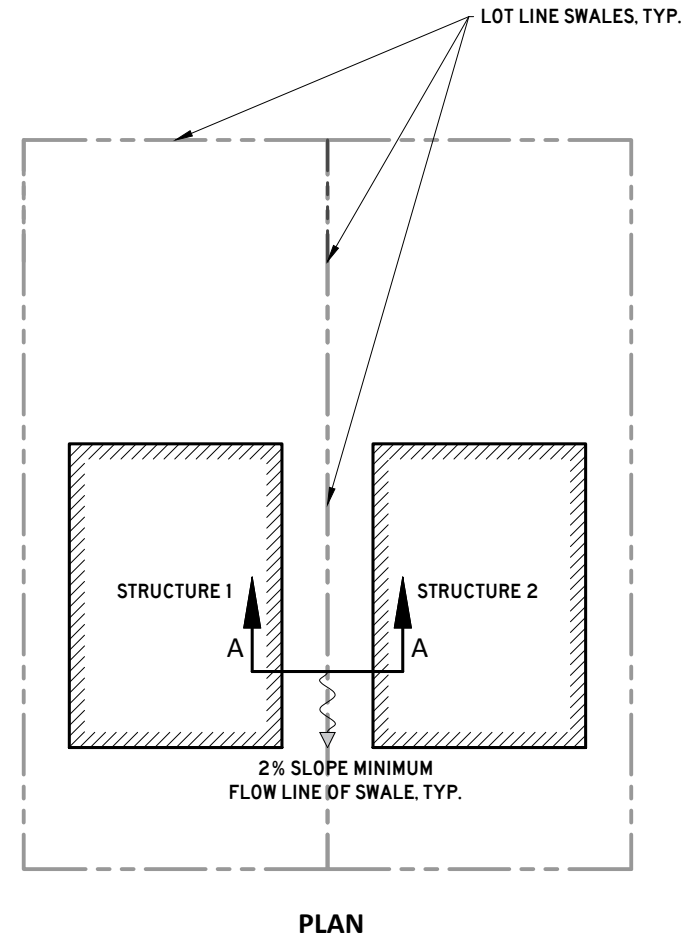
DATE
6/9/2022

DD-03



NOTES:

1. SURFACE DRAINAGE SHALL BE DIVERTED TO A STORM SEWER CONVEYANCE. ALL AREAS WITHIN A LOT SHALL BE GRADED TO DRAIN TO AN APPROVED STORMWATER CONVEYANCE.
2. LOTS SHALL BE GRADED TO DRAIN SURFACE WATER AWAY FROM FOUNDATIONS.
 - 2.1. LOTS SHALL BE GRADED TO PROVIDE A MINIMUM OF 6 INCHES OF FALL WITHIN THE FIRST 10 FEET OF THE STRUCTURE ALONG THE DIRECTION OF FLOW.
 - 2.2. LOTS SHALL BE GRADED TO PROVIDE A MINIMUM OF 1V:20H OF FALL PERPENDICULAR TO THE FACE OF THE FOUNDATION WALL WITHIN THE FIRST 5 FEET.
 - 2.3. IMPERVIOUS SURFACES SHALL BE SLOPED AT A MINIMUM OF 2% AWAY FROM THE STRUCTURE.
3. SWALES SHALL BE LOCATED ALONG LOT LINES TO REDUCE LOT TO LOT DRAINAGE, AND DIRECT STORMWATER RUNOFF TOWARDS APPROVED STORMWATER CONVEYANCES.
4. SWALES SHALL HAVE A MINIMUM SLOPE OF 2%.
5. FOUNDATIONS SHALL BE AT MINIMUM 12 INCHES ABOVE ANY THE RIM ELEVATION OR HIGHEST FLOW LINE OF ANY PUBLIC STORMWATER INFRASTRUCTURE THAT SURFACE DRAINAGE FROM THE LOT IS DIRECTED TO.
6. NON-PUBLIC STORMWATER INFRASTRUCTURE SHALL NOT SUCH AS YARD DRAINS SHALL NOT ALLEVIATE THE REQUIREMENTS OF NOTES 2 AND 3.
7. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

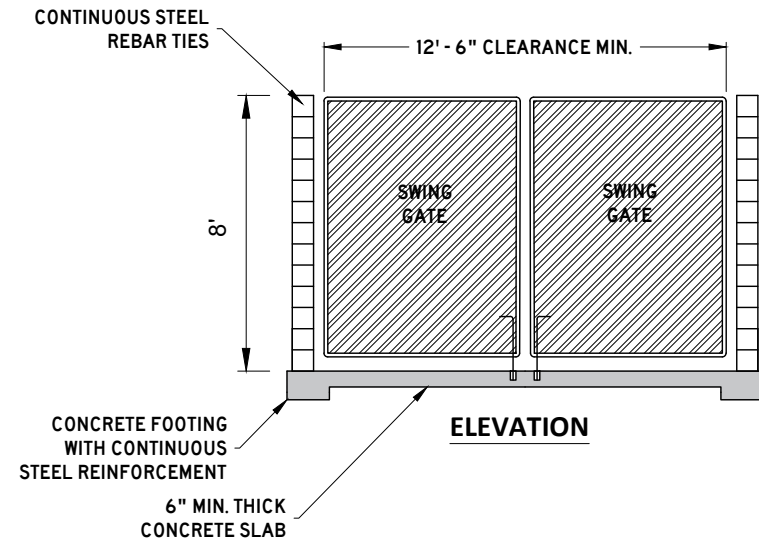
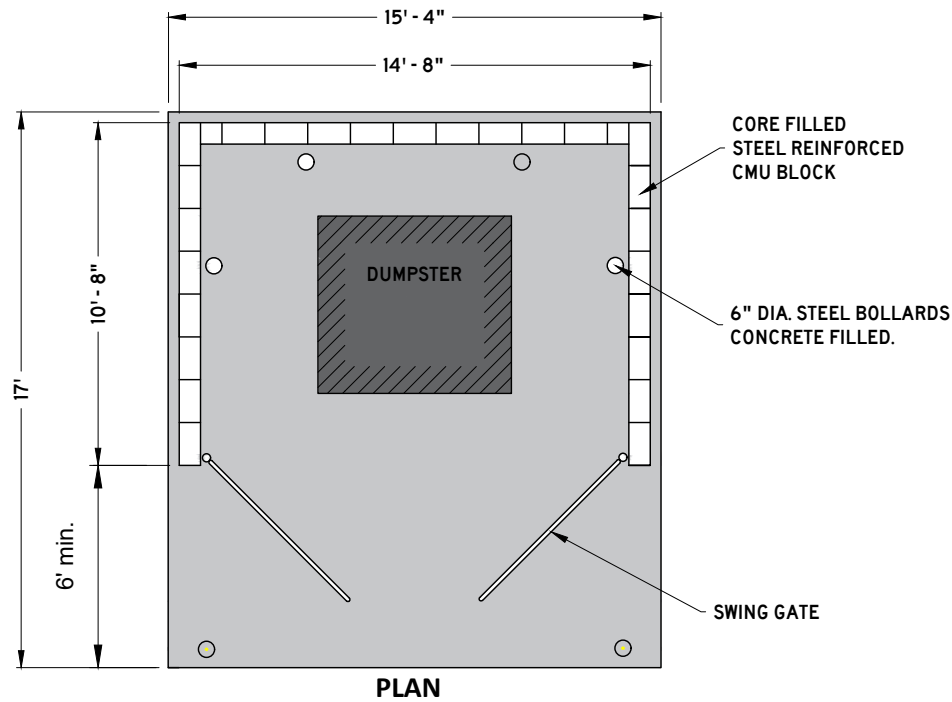
STANDARD DETAILS

RESIDENTIAL LOT GRADING AND DRAINAGE

(NTS)

DATE
6/9/2022

DD-04



NOTES:

1. MATERIALS, CONSTRUCTION AND QUANTITY CONTROL OF MASONRY SHALL BE IN ACCORDANCE WITH INTERNATIONAL BUILDING CODE (IBC).
2. MATERIALS USED SHOULD BE CONSISTENT WITH THOSE USED IN THE CONSTRUCTION OF AND ARCHITECTURAL STYLE OF THE PRINCIPAL BUILDING. SHALL BE COMPLIANT WITH THE ZONING ORDINANCE AND ALL OTHER APPLICABLE REGULATIONS
3. CONCRETE SLAB: MONOLITHIC, MIN. 6" THICKNESS W/IMBEDDED 6"x6"/ 10X10 WELDED WIRE FABRIC (W.W.F.), CLASS A 3000 P.S.I. CONCRETE FILLED CELLS: WITH 1-#5 VERTICAL REBAR TIED TO FOOTER STEEL AT EACH CORNER AND EVERY 4' O.C.
4. BOLLARD: 3'-6" HIGH, 6" DIAMETER STEEL PIPE BOLLARD FILLED WITH CONCRETE, PAINTED TRAFFIC YELLOW
5. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

DUMPSTER PAD AND ENCLOSURE

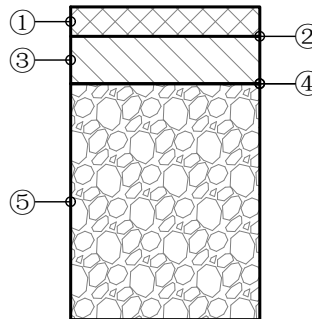
(NTS)

DATE
6/9/2022

MD-01

PAVEMENT SCHEDULE

- | | |
|---|---|
| ① | SURFACE @ 1.5" THICK
411-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING D (SURFACE), OR
307-01.10 ASPHALT CONCRETE MIX (PG64-22) (ACS) GRADING C-W (SURFACE) |
| ② | TACK COAT (GENERAL USE)
403-01 BITUMINOUS MATERIAL FOR TACK COAT (TC) (0.05 - 0.10 GAL/SY) |
| ③ | BIT. BINDER @ 2" THICK
307-01.08 ASPHALT CONCRETE MIX (PG64-22) (BPMB-HM) GRADING B-M2 |
| ④ | PRIME COAT
402-01 BITUMINOUS MATERIAL FOR PRIME COAT (PC) (0.30-0.35 GAL/SY)
402-02 AGGREGATE FOR COVER MATERIAL (PC) (8-12 LB/SY) |
| ⑤ | MINERAL AGGREGATE BASE @ 6" THICK
303-01 MINERAL AGGREGATE, TYPE A BASE, GRADING D |



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

PARKING LOT PAVEMENT SECTION

(NTS)

DATE
6/9/2022

MD-02

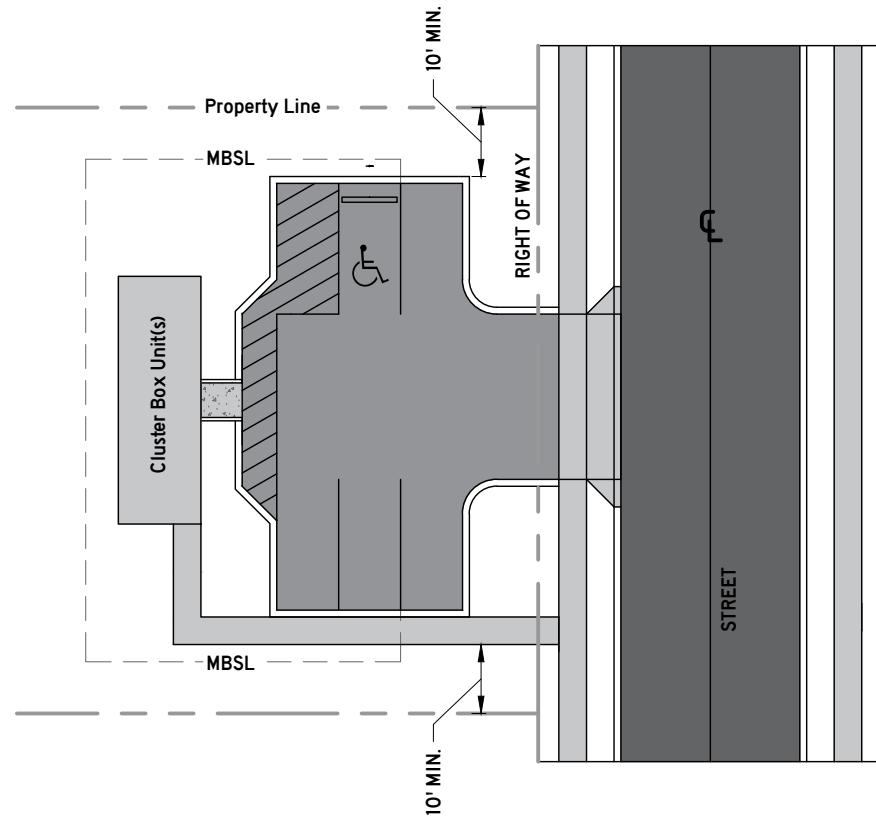
NOTES:

FOR 75 OR LESS CBU'S AT A SINGLE LOCATION

1. CLUSTER BOX UNITS (CBU'S) SHALL MEET USPS STANDARDS
2. CBU'S MAY BE LOCATED WITHIN THE RIGHT OF WAY
3. CBU'S SHALL NOT ENCROACH UPON THE ROADWAY OR SIDEWALK.
4. CBU'S SHOULD BE PLACED ALONG MINOR LOCAL ROADWAYS OR EQUIVALENT. FOR PLACEMENT ALONG COLLECTOR AND ARTERIAL ROADWAYS, FOLLOW THE STANDARDS BELOW, "FOR MORE THAN 75 CBU'S AT A SINGLE LOCATION".

FOR MORE THAN 75 CBU'S AT A SINGLE LOCATION

1. CBU'S SHALL MEET USPS STANDARDS
2. CBU'S SHALL BE LOCATED OUTSIDE OF THE RIGHT OF WAY WITHIN A COMMON OR OPEN SPACE LOT
3. CBU'S SHALL NOT BE PLACED WITHIN ANY EASEMENTS
4. CBU'S AND APPURTENANT BUILDING PAD(S) SHALL BE CONSIDERED A PRINCIPLE STRUCTURE AND SHALL ADHERE TO BUILDING SETBACKS
5. ACCESS AND DRIVEWAYS TO MEET ZONING CODE AND ACCESS MANAGEMENT
6. PARKING SHALL BE PROVIDED WITH A MINIMUM OF 2 PARKING STALLS PLUS 1 STALL PER 25 MAIL UNITS OR PORTION THEREOF ABOVE THE FIRST 25 MAIL UNITS, WITH A MAXIMUM OF TWICE THE MINIMUM
7. PARKING AND SIDEWALKS SHALL HAVE A 10 FT. MINIMUM BUFFER FROM ANY PROPERTY LINE
8. PARKING SHALL ADHERE TO LAYOUT AND INTERIOR LANDSCAPING REQUIREMENTS PER THE ZONING CODE
9. PARKING SHALL BE CLEARLY LABELED AS SHORT TERM PARKING AND CANNOT BE CONSIDERED REQUIRED PARKING FOR ANOTHER USE
10. WHEEL STOPS OR CURBING SHALL BE PROVIDED FOR ALL PARKING STALLS
11. ADEQUATE LIGHTING SHALL BE PROVIDED.
12. ELEMENTS OF THIS DETAIL MAY BE ALTERED AND APPROVED BY THE CITY ENGINEER



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

MAIL CLUSTER BOX UNITS

(NTS)

DATE
6/9/2022

MD-03

LETTER SIZE	DISTANCE FROM THE PUBLIC WAY
4"	115'
6"	150'
9"	300'
12"	400'
18"	560'
24"	750'
36"	1130'

NOTES:

1. PROPERTY ADDRESS SHALL BE ISSUED BY THE ENGINEERING DEPARTMENT AT THE TIME THE BUILDING PERMIT IS ISSUED.
2. NEW AND EXISTING BUILDINGS SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS, OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE ARABIC NUMERALS OR ALPHABET LETTERS. NUMBERS SHALL BE A MINIMUM OF 4 INCHES (102 M) HIGH WITH A MINIMUM STROKE WIDTH OF 0.5 INCH (12.7MM).
3. ALL COMMERCIAL STRUCTURES SHALL BE ADDRESSED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE THAT IS ADOPTED BY THE CITY OF COLUMBIA.
4. ALL RESIDENTIAL STRUCTURES SHALL HAVE THE PROPERTY ADDRESS POSTED ON THE STRUCTURE AND BOTH SIDES OF THE MAIL BOX IF IT EXISTS.
5. UNDER EXTENUATING CIRCUMSTANCES THE CITY OF COLUMBIA MAY ALTER/CHANGE EXISTING ADDRESSES IN ORDER TO ENSURE THE SAFETY AND WELL BEING OF THE CITIZENS OF COLUMBIA.



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

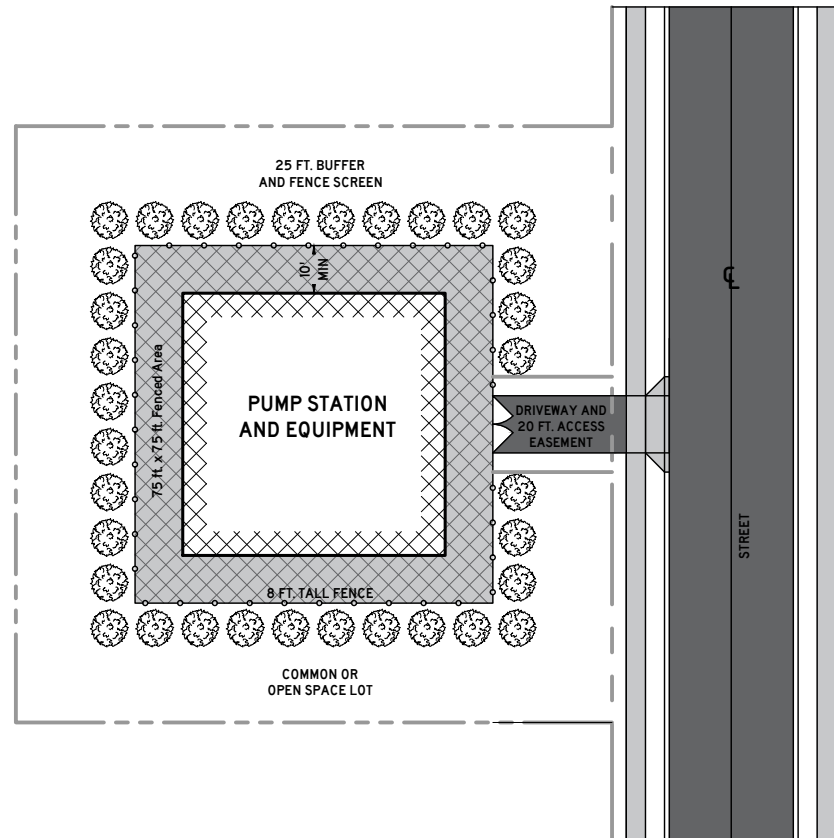
STANDARD DETAILS

PROPERTY ADDRESSES

(NTS)

DATE
6/9/2022

MD-04



CITY OF COLUMBIA
DEVELOPMENT SERVICES DEPARTMENT
ENGINEERING DIVISION

STANDARD DETAILS

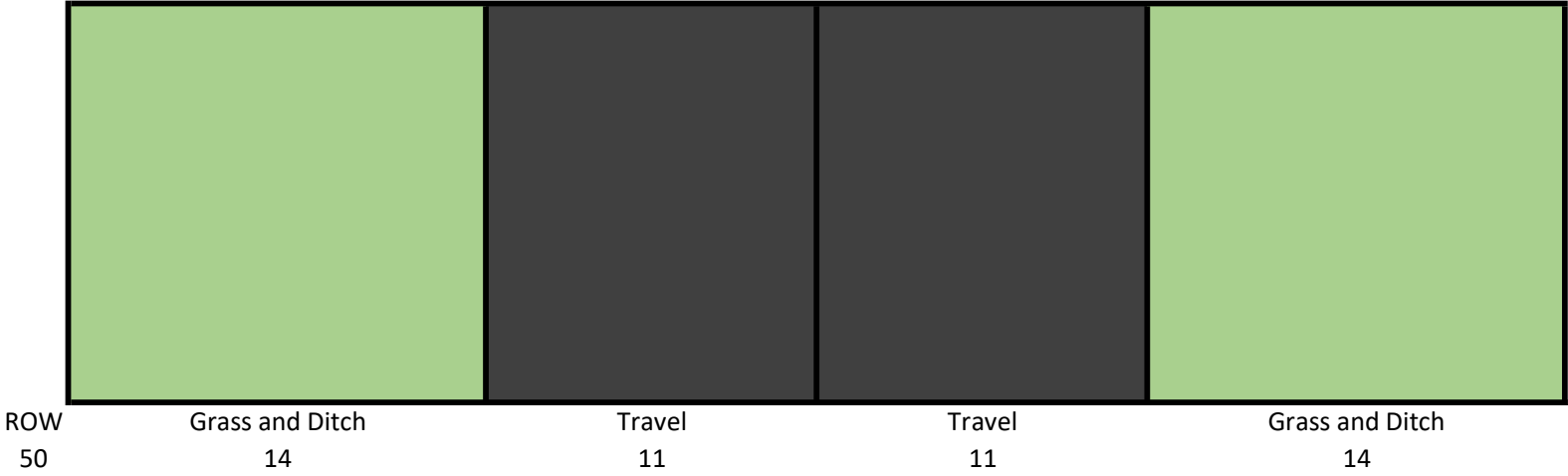
PUMP STATION

(NTS)

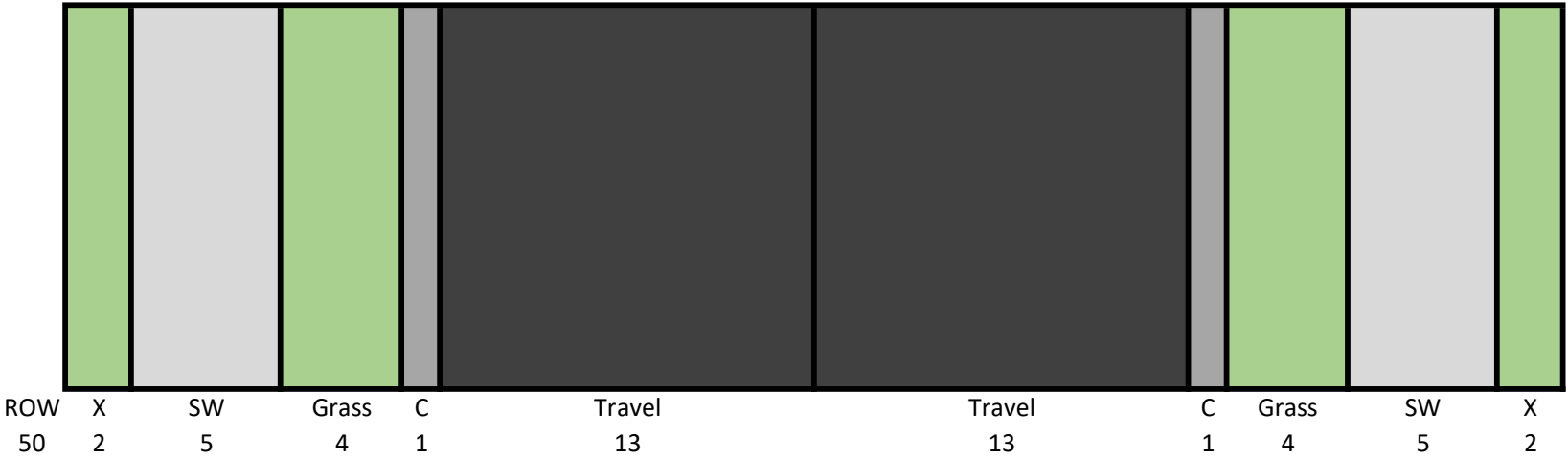
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2/24/2023

MD-05

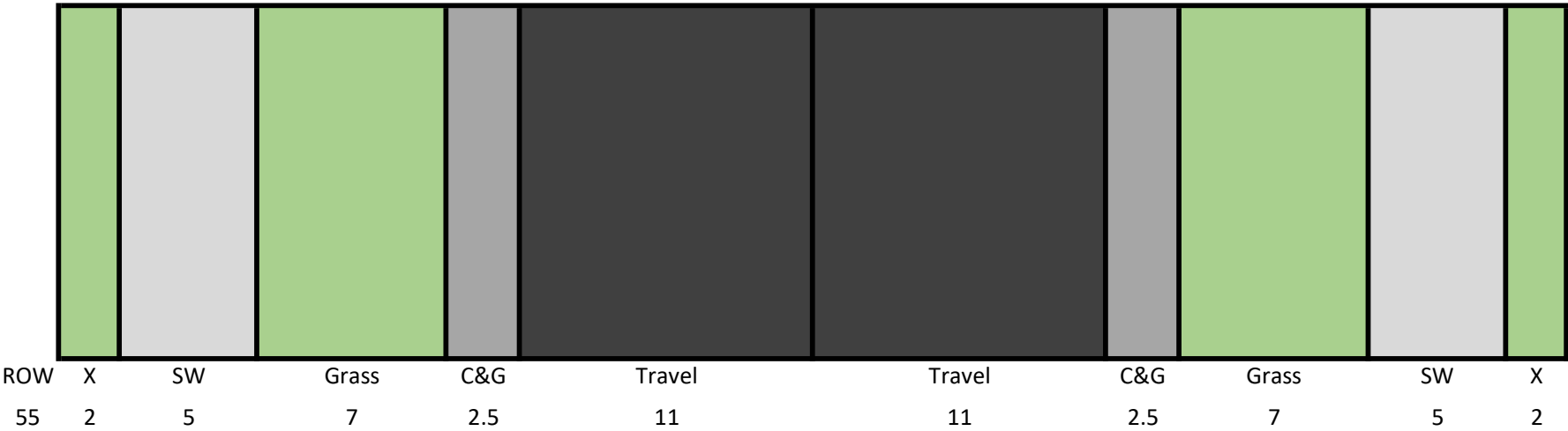
CD-2



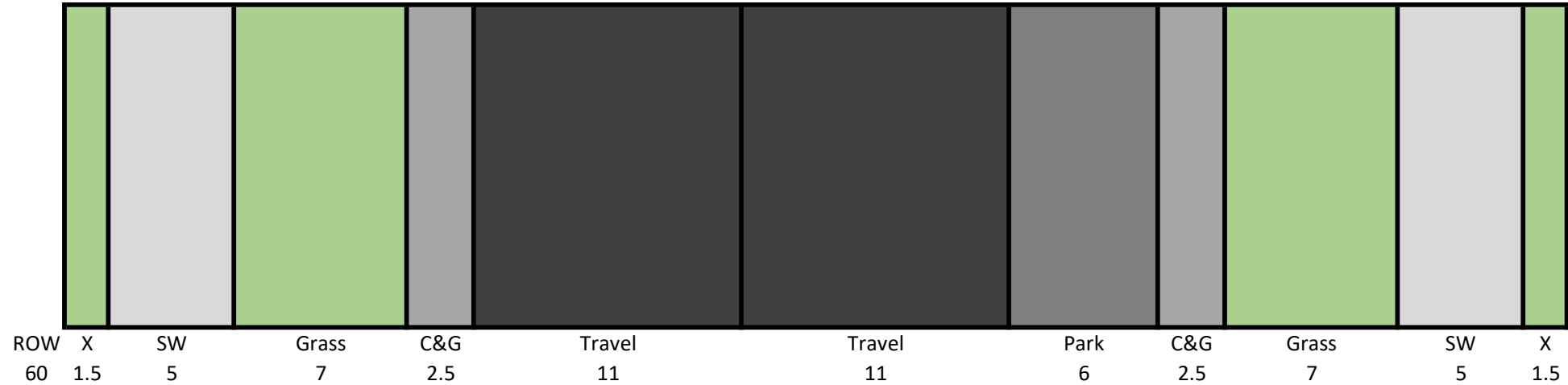
CD-3L



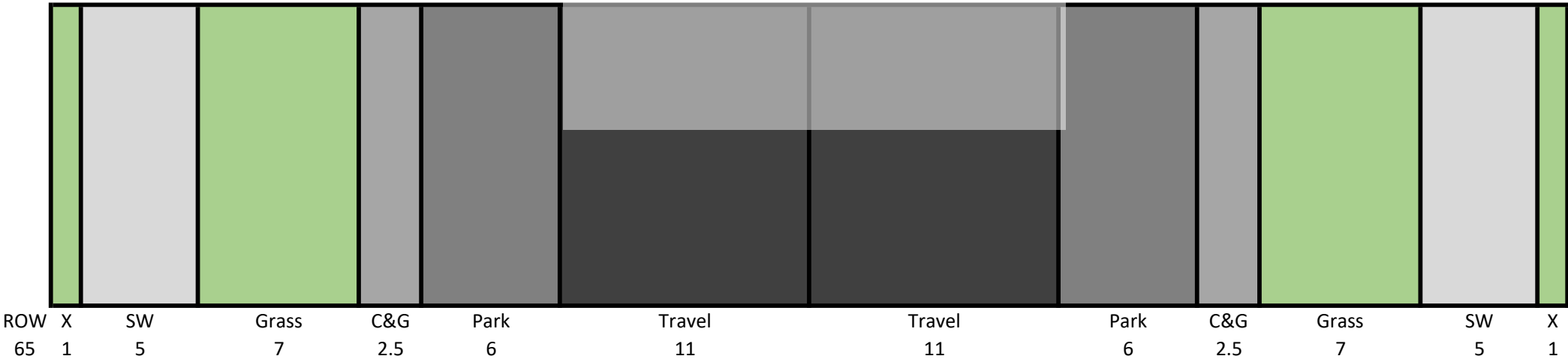
CD-3, SD-MHP
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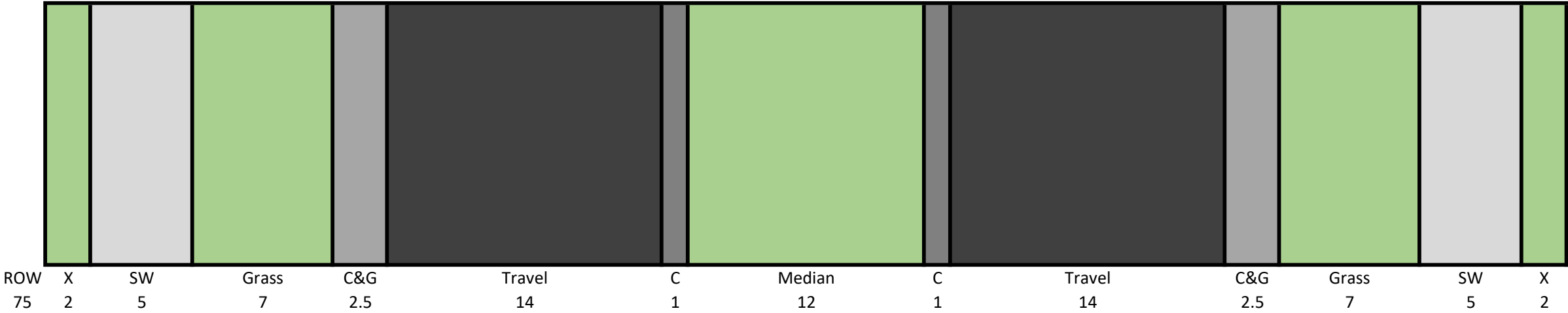
CD-3, SD-MHP
Parking One Side



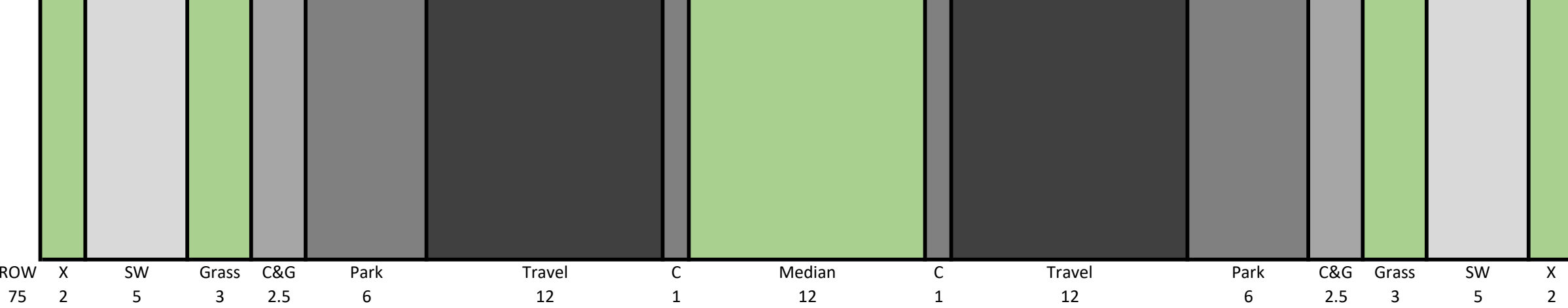
CD-3, SD-MHP
Parking Both Sides



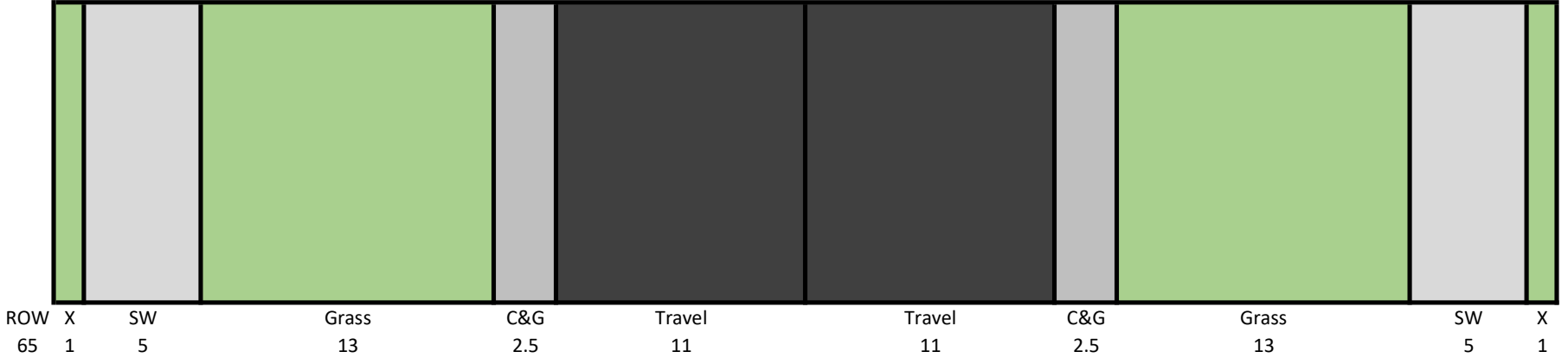
CD-3, SD-MHP
Boulevard
No Parking



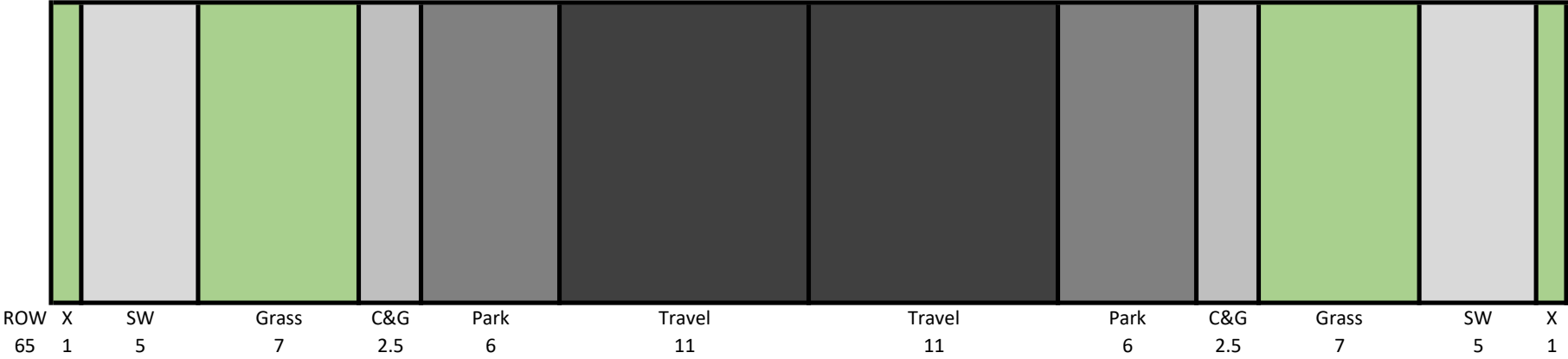
CD-3, SD-MHP
Boulevard
With Parking



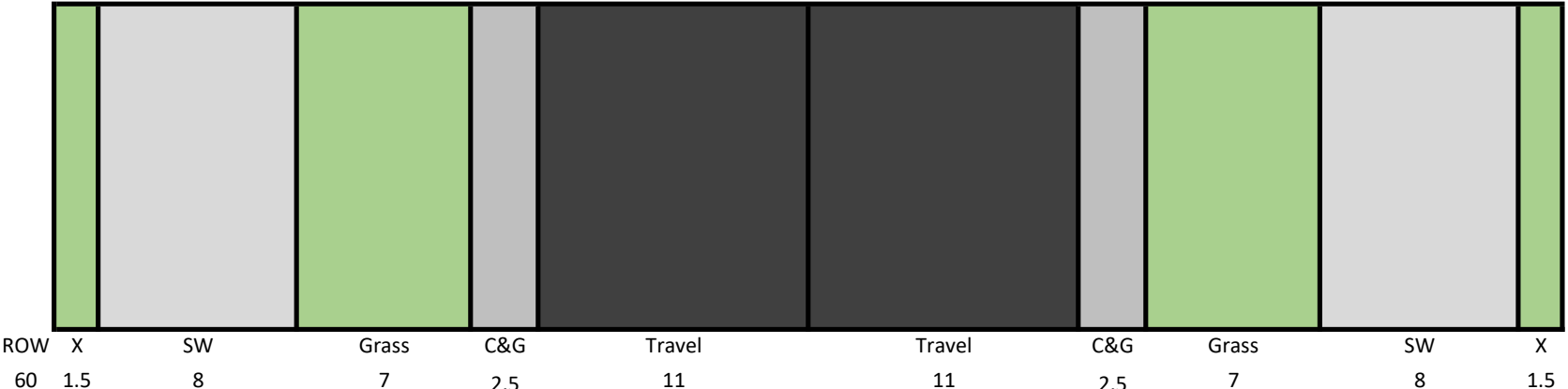
CD-4, PUD-R
No Parking



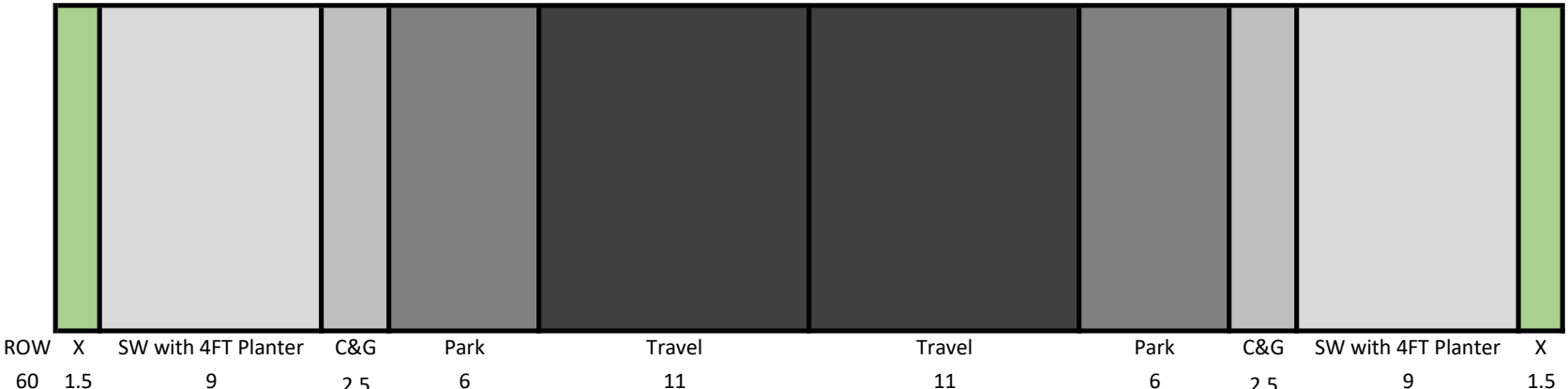
CD-4, PUD-R
With Parking



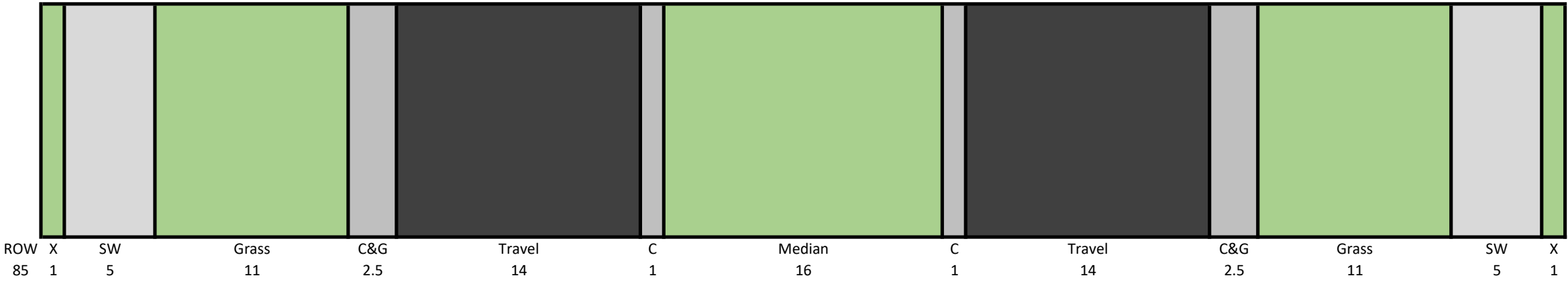
CD-4C, PUD-MU, SD-INT
No Parking



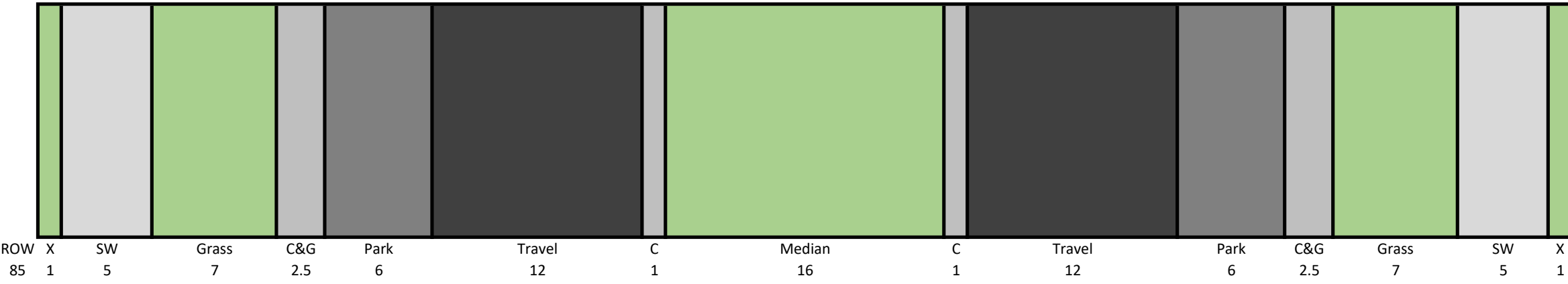
CD-4C, PUD-MU, SD-INT
With Parking



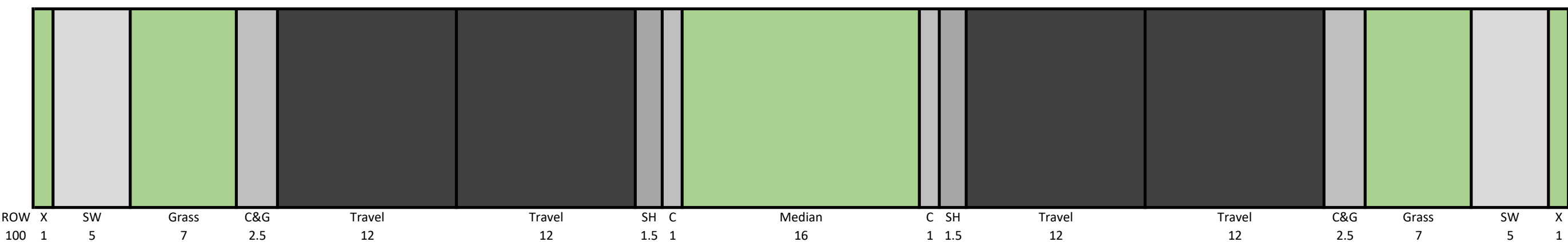
CD-4, PUD-R
CD-4C, PUD-MU, SD-INT
Boulevard
No Parking



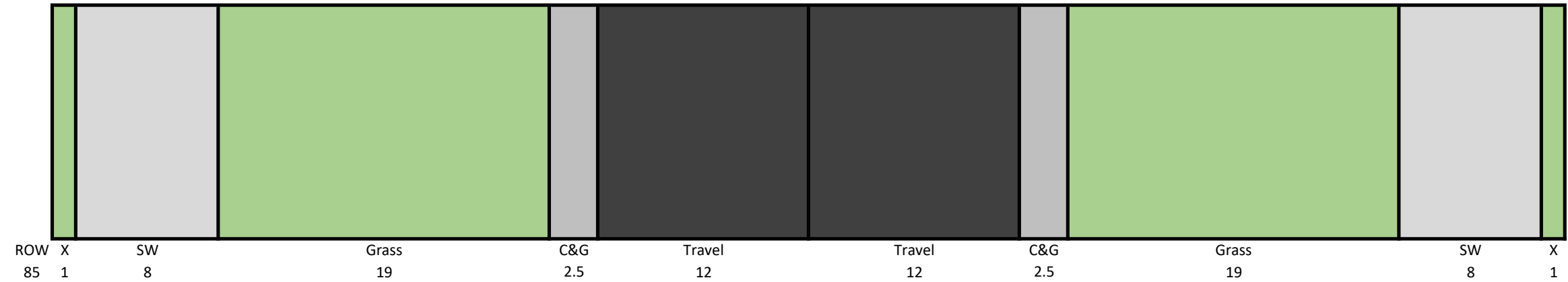
CD-4, PUD-R
CD-4C, PUD-MU, SD-INT
Boulevard
No Parking



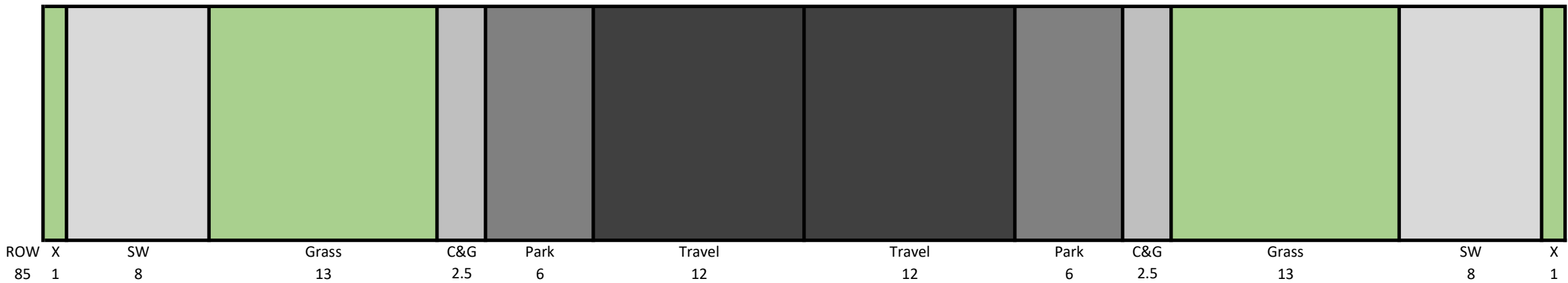
CD-4, PUD-R
CD-4C, PUD-MU, SD-INT
4 Lane Boulevard
No Parking



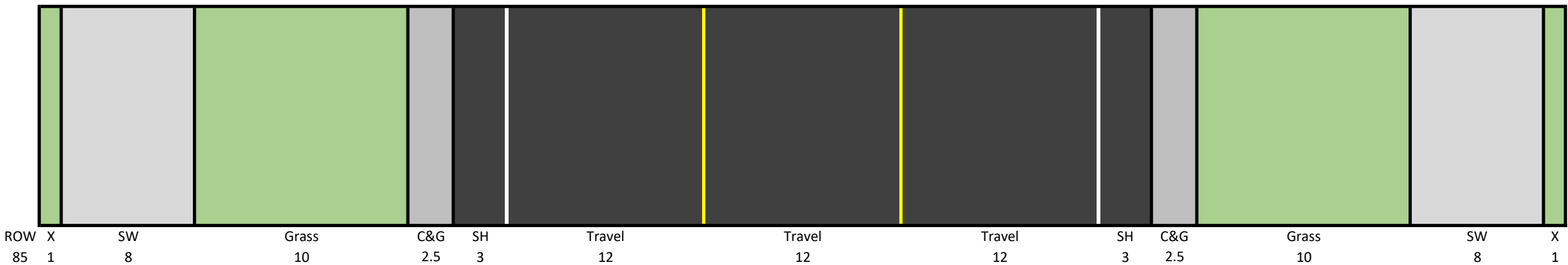
CD-4C, PUD-MU, SD-INT
Avenue
No Parking



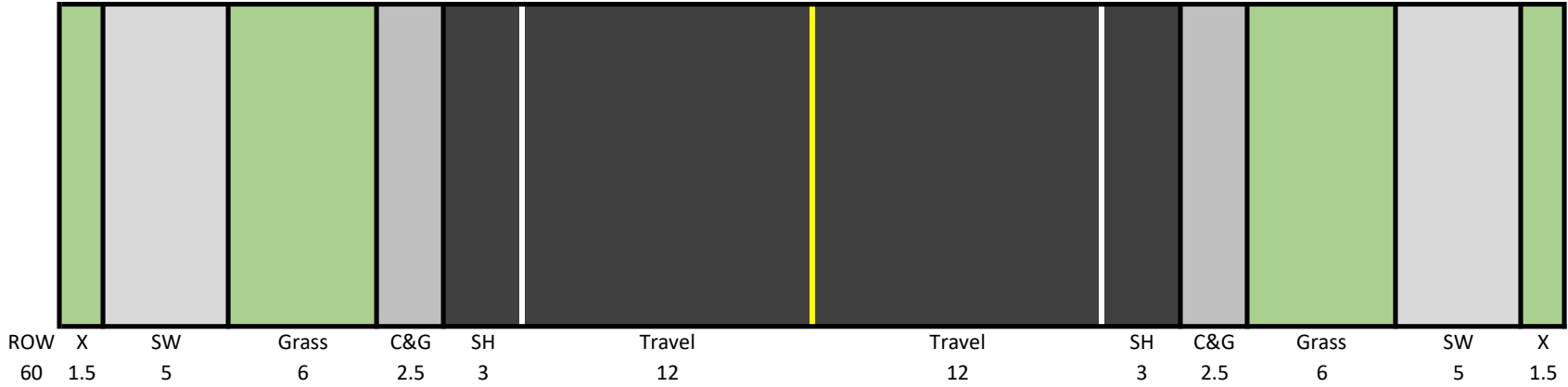
CD-4C, PUD-MU, SD-INT
Avenue
With Parking



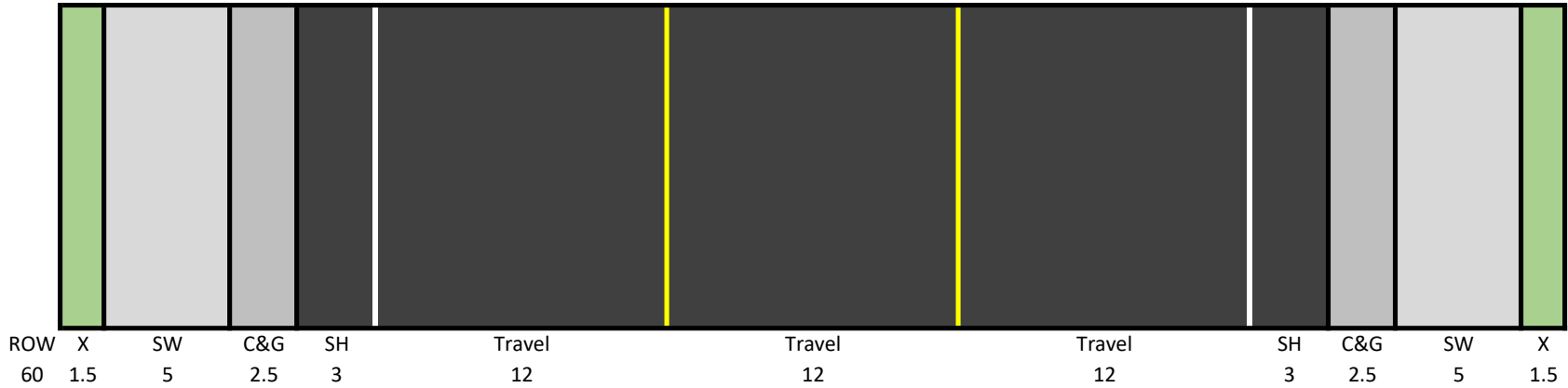
CD-4C, PUD-MU, SD-INT
3 Lane Avenue
No Parking



SD-LI, SD-HI
2 Lane
No Parking



SD-LI, SD-HI
3 Lane
No Parking



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.](#)

Commented [DT1]: Housekeeping and clarifying requirements for Construction Plans

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.~~
- ~~I. H. Street designs with connective and looping streets are preferred instead of the use of cul-de-sacs. Cul-de-sacs shall be prohibited unless be permitted where 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.

Commented [DT2]: Adjust to be consistent with Zoning Ordinance language

Commented [DT3]:
Reference Zoning Ordinance for new requirement of Boulevards and Avenues in Article 5

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.~~

Commented [DT4]: Normally, where streets intersect the ROW lines are curved at the intersection. This isn’t feasible where setbacks are low, such as CD-4, CD-4C, CD-5 etc.

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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.

Commented [DT5]: Sets minimum size for easements, with larger easements required for deeper utilities.

Commented [DT6]: Increased easement width for larger storm pipes.

Commented [DT7]: Prohibits certain activities within easements.

Commented [DT8]: ROW is not owned in a fee-simple manner in the City

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, 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. -

Commented [DT9]: Housekeeping

Commented [DT10]: Clarifies which type of Development requires ROW dedication. Minor subdivisions are only required to reserve ROW.

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 compliant 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.
- ~~A.~~H. Encroachments shall not block Fire Department connections, fire hydrants, access, or pathways.

Commented [DT11]: Specifies and prohibits which encroachments into ROW or easements, generally large permanent structures that would require a building permit are prohibited or things that may adversely affect the public nature and function.

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	7050
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.

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Commented [DT12]: Adjust alley centerline curvature from 70 ft. to 50 ft. Change is consistent with AASHTO standards and similar cities in the area.

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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.~~

Commented [DT13]: Intersections should align more perpendicularly with arterial roadways.

Commented [DT14]: Duplicate item

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**.

Commented [DT15]: Specifies how to measure approach grades

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.

Commented [DT16]: References TDOT provisions

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.

Commented [DT17]: Adds standards for when railing is required along sidewalks.

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 ~~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.

Commented [DT18]: Specifies minimum dimensions for one and two way driveways.

Commented [DT19]: This provision produced conflicts with the Zoning Ordinance.

Commented [DT20]: Specifies material types for driveway aprons and minimum apron size with gravel driveways.

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

3.22.1 Unimproved Rights-of-Way

Where a lot/building site's parcel ~~primary access is accessed b~~ is through y an existing unimproved ~~right-of-way~~ right-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 a~~ 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 ~~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's parcel's primary access is accessed by an ~~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 ~~and the City Engineer~~ to the furthest extent of the lot/building site ~~their property~~ or a point determined by the ~~City Engineer~~ CMPC. The roadway dedication shall follow the requirements of the Subdivision Regulations.

Commented [DT21]: Housekeeping of terms to be consistent with the Zoning Ordinance

Commented [DT22]: Lessens some requirements for improvement of roadways for existing lots and infill type development.

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.

Commented [DT23]: Generally, technical portions of the Stormwater Ordinance are incorporated herein.

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.

Commented [DT24]: Previously Section 4.3

Commented [DT25]: Allows for smaller sized pipes for yard drainage systems, which are preferred in many cases, especially dense development styles.

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.

Commented [DT26]: Specifies the standards for analysis of drainage and storm conveyance systems.

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.
- 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.

~~4.3 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.

Commented [DT27]: Clarification of some verbiage.

4.97 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.

Commented [DT28]: Sets a maximum to prevent a potential loophole in buffer averaging.

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 buffers ~~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~~ 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.
- ~~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 ~~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.

Commented [DT29]: Moved to 4.7.6

Commented [DT30]: Sets standard to the reforestation of inadequate Aquatic Buffers for sites requiring a Land Disturbance Permit.

- 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.
- 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.

Commented [DT31]: Large slopes require special designs

Commented [DT32]: Adds a buffer area for slopes over a certain size, where adjacent to adjoining properties outside the development to allow for proper construction, maintenance, and reduced potential for adverse impacts to adjoining property owners.

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.

Commented [DT33]: Changes language to be more clear on the requirements. Previously adopted standards remain largely unchanged.

Commented [DT34]: Adds a provision for waiver

Commented [DT35]: Clarification of existing requirement

Commented [DT36]: Clarification of existing requirement.

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.

Commented [DT37]: Ensures developers appreciably follow the grading plans throughout construction.

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.

Commented [DT38]: Provides language to allow for greater discretion in determination of sinkholes and the potential for hazard.

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.

Commented [DT39]: Added from the Stormwater Ordinance

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 ing 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~~ 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) 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.

Commented [DT40]: Similar requirement to previous with more specific criteria.

5.11 Parking

- A. Parking shall conform to the Zoning Ordinance.
- B. Parking aisles shall have ~~a~~ 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.

~~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. -

Commented [DT41]:

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.

Commented [DT42]: Most standards, unless listed below are currently enforced provisions.

Commented [DT43]: Sets maximum height for retaining walls, with provisions to terrace walls.

Commented [DT44]: Sets maximum height for retaining walls, with provisions to terrace walls. Adds waiver provisions.

Commented [DT45]: Certain types of retaining walls can adversely impact the installation or maintenance of infrastructure.

Commented [DT46]: Prevents encroachment and potential impact to the ROW

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.

Commented [DT47]: Prevents potential adverse impacts to adjoining property owners.

Commented [DT48]: Failure of retaining walls should not have any potential adverse impact to structures.

Commented [DT49]: Failure of this type of facility would present a large hazard to downstream property.

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

Commented [DT50]: Creates lot development standards for Pump Stations.

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.



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: 1ST CONSIDERATION ON ORDINANCE NO. 4521 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING ZONING MAP IN ARTICLE 2 BY REPEALING SUCH ARTICLE AND REPLACING SUCH ARTICLE 2 WITH A NEW ARTICLE 2, ZONING MAP

RECOMMENDATION: Approve Ordinance No. 4521 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 2: Zoning Map, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance No. 4521, Exhibit A, Marked Changes "A".

**AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING
THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE
REGARDING ZONING MAP IN ARTICLE 2 BY REPEALING SUCH ARTICLE
AND REPLACING SUCH ARTICLE 2 WITH A NEW ARTICLE 2, ZONING
MAP**

WHEREAS, Section §13-7-201 of the Tennessee Code Annotated empowers the city to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals and general welfare of the city to enact such an ordinance; and

WHEREAS, the City Council, pursuant to the provisions of Section §13-4-101 of the Tennessee Code Annotated has appointed a Planning Commission to recommend the appropriate regulations to be enforced therein; and

WHEREAS, on the 5th day of June 2024, the Planning Commission reviewed and recommended specific changes in accordance to Section 8.5.18, to the Zoning Ordinance regarding Definitions in Article 2. As a result, Article 2 is being repealed in its entirety and replaced with a new Article 2 which is attached hereto as Exhibit "A" and incorporated herein. Said recommendations are being considered after a public hearing held on the 8th day of August, 2024, notice of which was published in the Daily Herald of Columbia fifteen (15) days or more prior to said meeting.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That Ordinance Number 4400, the same being the Zoning Ordinance of the City of Columbia, Tennessee is hereby amended by repealing and deleting Article 2 in its entirety and replacing such Article with a new Article 2, Zoning Map, which is attached hereto as Exhibit "A" and incorporated herein by reference;

Section 2: That the City Council satisfies the requirements of Section 8.5.18.J.4, by making specific findings as to the following:

- 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.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

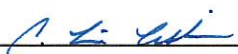
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this the 12th day of September, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY – CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration: _____

ARTICLE 2: ZONING MAP

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 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, 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 right-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.

ARTICLE 2: ZONING MAP

SECTION 2.1 ZONING MAP.

2.1.5 District Boundaries Continued.

E. Interpretation of District Boundaries.

When uncertainty exists as to the boundaries of Districts shown on the Official Zoning Map, the following shall apply:

1. Boundaries indicated as approximately following the center lines of alleys shall be construed to follow such center lines;
2. Boundaries indicated as approximately following platted lots 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 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 the 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 the 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 City standards and requirements for the applicable City District.

ARTICLE 2: ZONING MAP

SECTION 2.1 ZONING MAP.

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: "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 be 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.

ARTICLE 2: ZONING MAP

SECTION 2.2 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 2.3 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.

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)

~~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~~

Removes inappropriate language related to incorporation of standards into the Official Zoning Map

Article 2 Zoning Map

Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

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,

Article 2 Zoning Map Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

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)

~~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~~

Removes language related to district assignments within development parcels that was not ultimately not adopted as part of the zoning ordinance.

Article 2 Zoning Map

Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

~~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~~

Article 2 Zoning Map Proposed Zoning Text Amendment

Additions are Underlined
~~Deletions are Strikethrough~~

~~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.*



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Paul Keltner, AICP, Development Services Director pkeltner@columbiatn.gov 931-560-1560

AGENDA ITEM TITLE: 1ST CONSIDERATION ON ORDINANCE NO. 4522 - AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE REGARDING DEFINITIONS IN ARTICLE 9 BY REPEALING SUCH ARTICLE AND REPLACING SUCH ARTICLE 9 WITH A NEW ARTICLE 9, DEFINITIONS

RECOMMENDATION: Approve Ordinance No. 4522 on first consideration.

INFORMATION: The Department of Development Services is requesting to amend the Zoning Ordinance of Columbia, Ordinance 4400, with changes concerning Article 9: Definitions, as reviewed and recommended by the Planning Commission at the June 5, 2024 meeting. Approval was recommended by a vote of five to zero.

CERTIFICATION: N/A

ATTACHMENTS: Staff Report, Ordinance 4522, Exhibit A, Marked Changes.

**AN ORDINANCE AMENDING ORDINANCE NO. 4400, THE SAME BEING
THE ZONING ORDINANCE OF THE CITY OF COLUMBIA, TENNESSEE
REGARDING DEFINITIONS IN ARTICLE 9 BY REPEALING SUCH ARTICLE
AND REPLACING SUCH ARTICLE 9 WITH A NEW ARTICLE 9,
DEFINITIONS**

WHEREAS, Section §13-7-201 of the Tennessee Code Annotated empowers the city to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, morals and general welfare of the city to enact such an ordinance; and

WHEREAS, the City Council, pursuant to the provisions of Section §13-4-101 of the Tennessee Code Annotated has appointed a Planning Commission to recommend the appropriate regulations to be enforced therein; and

WHEREAS, on the 5th day of June 2024, the Planning Commission reviewed and recommended specific changes in accordance to Section 8.5.18, to the Zoning Ordinance regarding Definitions in Article 9. As a result, Article 9 is being repealed in its entirety and replaced with a new Article 9 which is attached hereto as Exhibit "A" and incorporated herein. Said recommendations are being considered after a public hearing held on the 8th day of August, 2024, notice of which was published in the Daily Herald of Columbia fifteen (15) days or more prior to said meeting.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

Section 1: That Ordinance Number 4400, the same being the Zoning Ordinance of the City of Columbia, Tennessee is hereby amended by repealing and deleting Article 9 in its entirety and replacing such Article with a new Article 9, Definitions, which is attached hereto as Exhibit "A" and incorporated herein by reference;

Section 2: That the City Council satisfies the requirements of Section 8.5.18.J.4, by making specific findings as to the following:

- 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.

Section 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
COLUMBIA, TENNESSEE, this the 12th day of September, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY – CITY MANAGER

Passed on 1st consideration _____

Passed on 2nd consideration: _____

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.

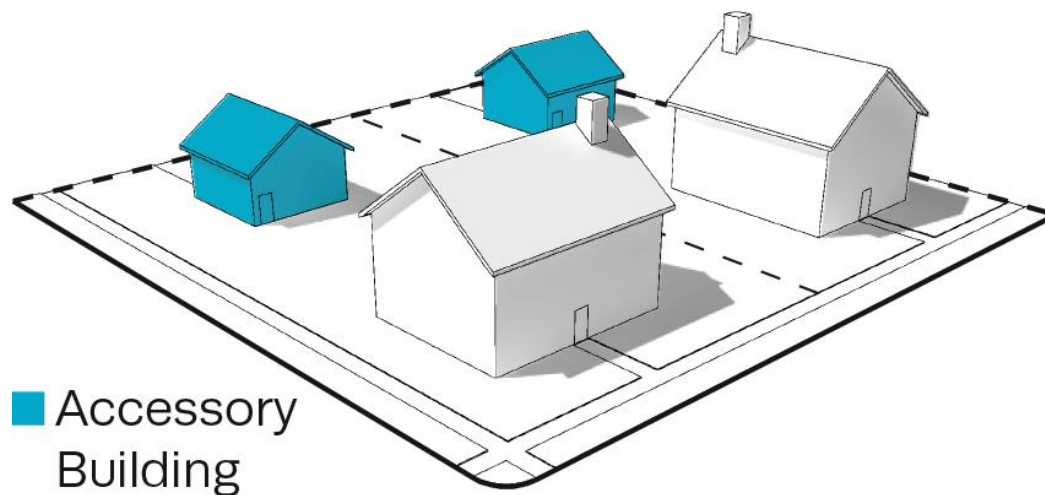
For purposes of this Ordinance, the following terms shall have the meanings set forth below unless the context clearly indicates or requires a different meaning:

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.

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.

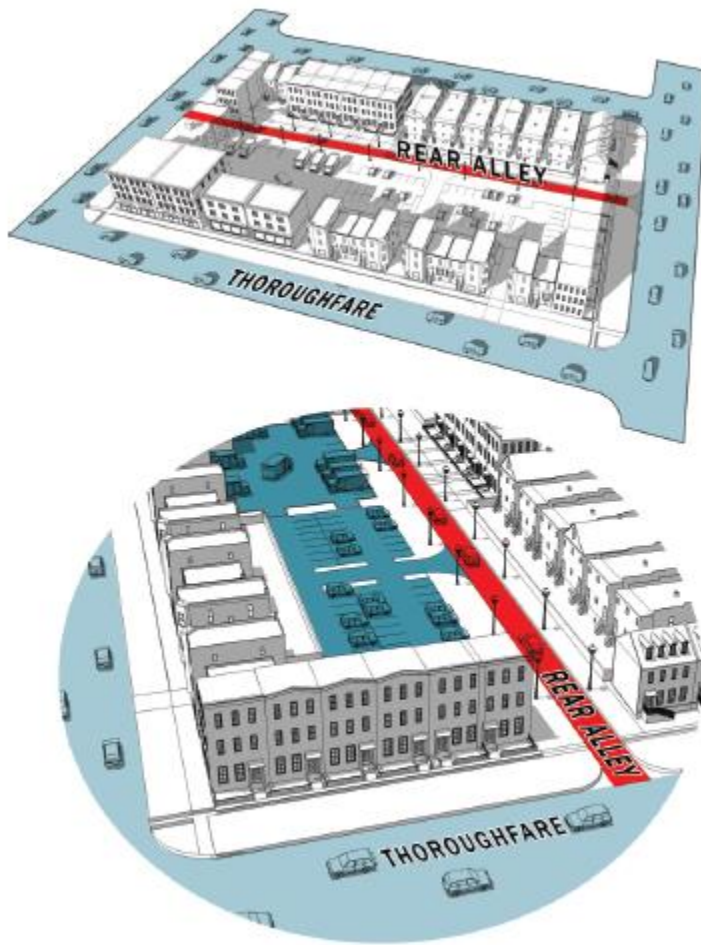
Agricultural and Extractive Uses: (1) collectively, Agricultural Uses and Extractive Uses; (2) a collective reference to Uses in the following sub- Categories: Agricultural Uses and Extractive Uses, as listed in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses) Table 4.3.9.A-2 (Building, 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.

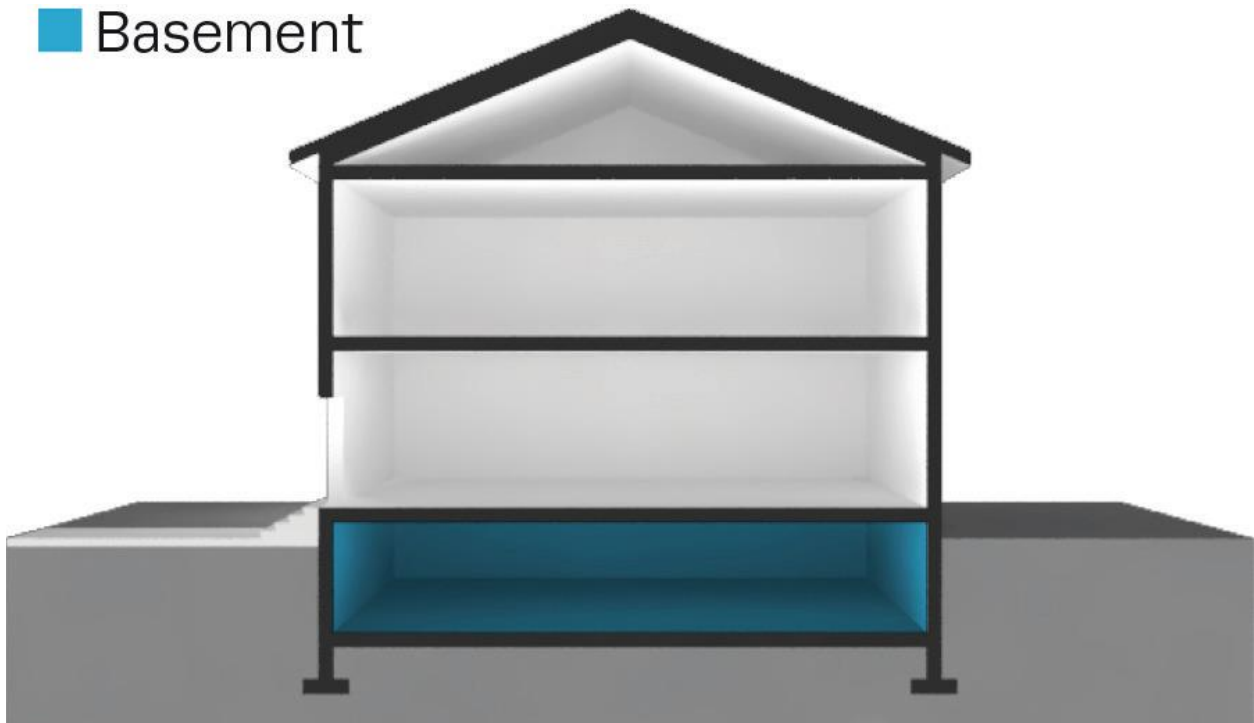


Base Flood Elevation: as defined in Section 6.12.2.

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

■ 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.

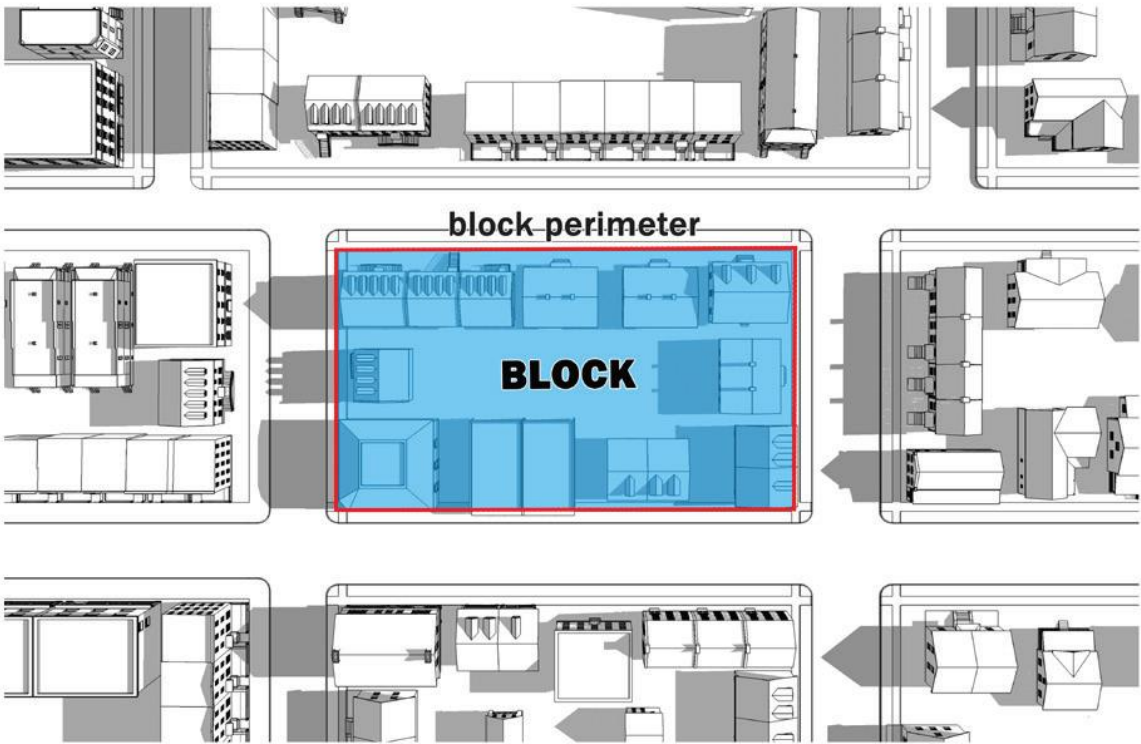
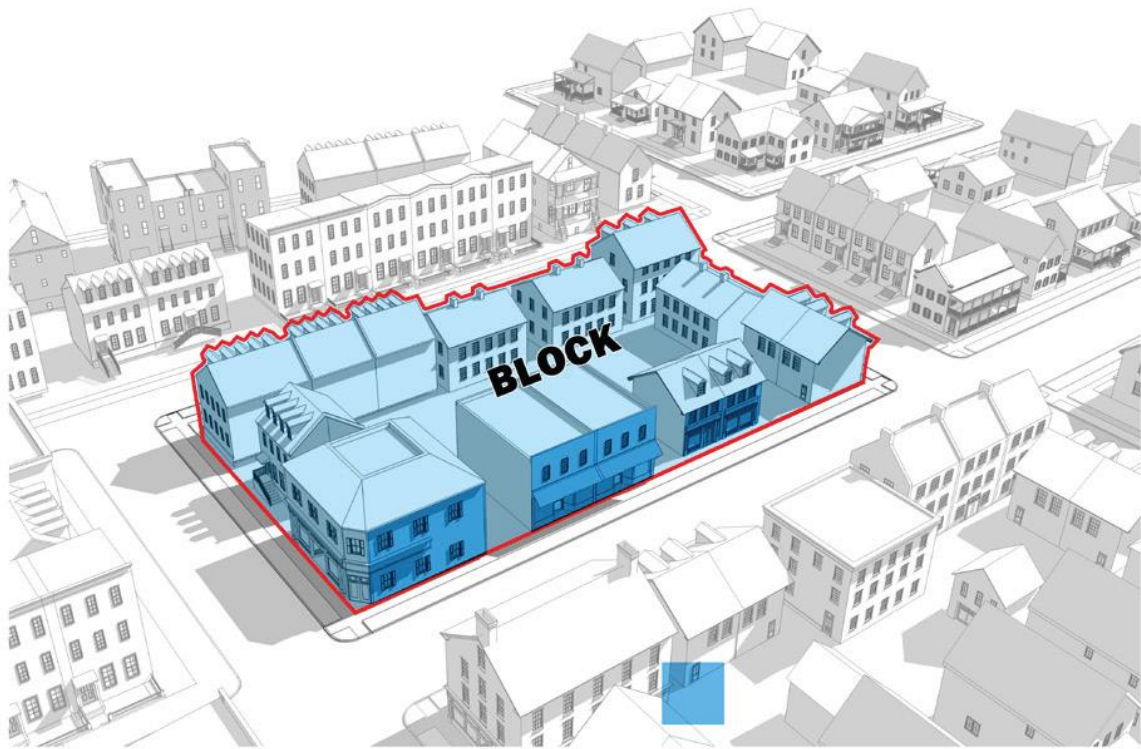
Bicycle Trail (BT): a bicycle way running independently of a vehicular Thoroughfare. See Table 5.2.4.B (Bikeway Types).

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 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.

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 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).

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

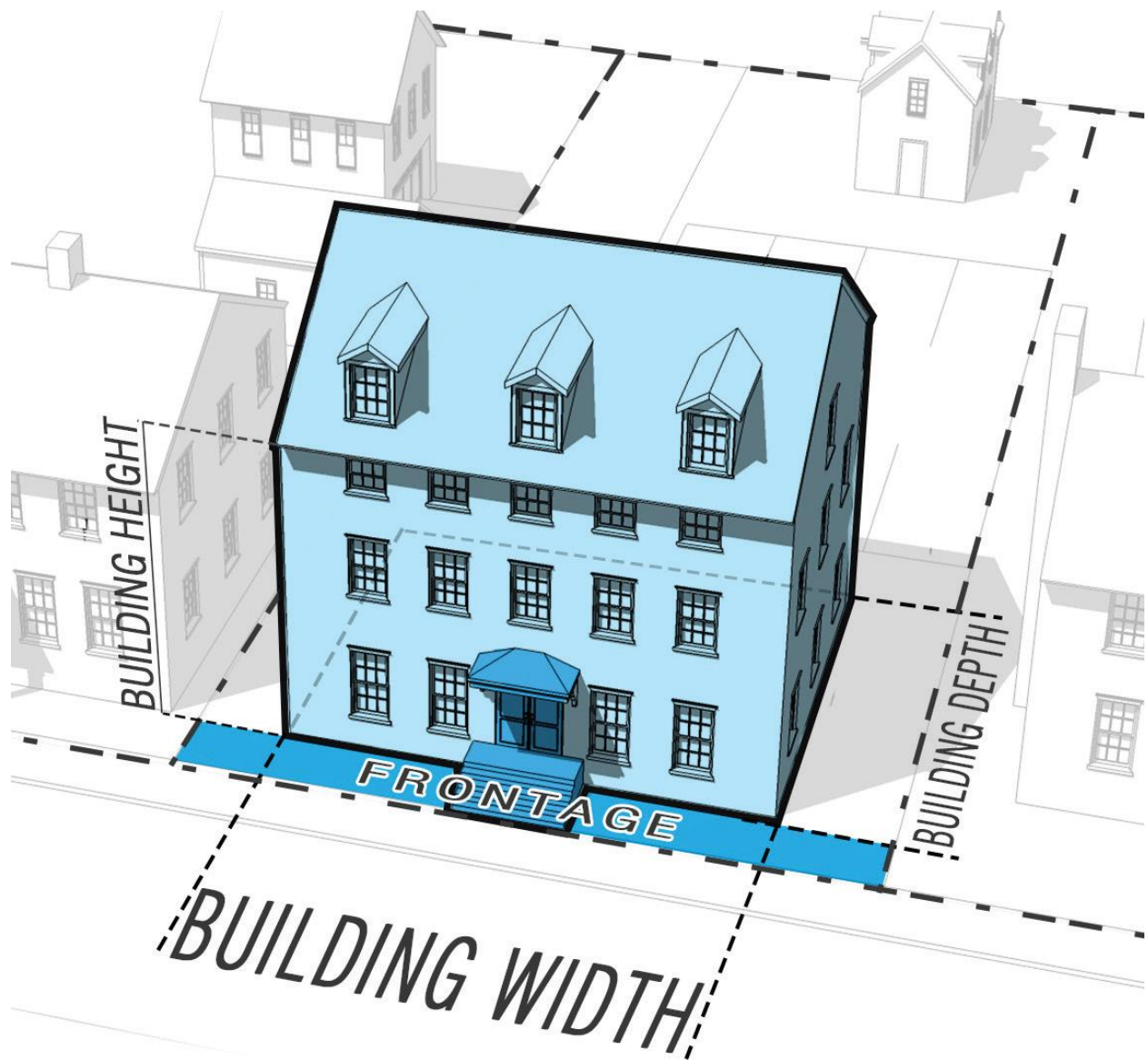
Board of Zoning Appeals. For purposes of the administration of this Ordinance, Conditional Uses shall be construed as synonymous with special exceptions, as controlled by TCA Section 13 – 7 – 206.

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.

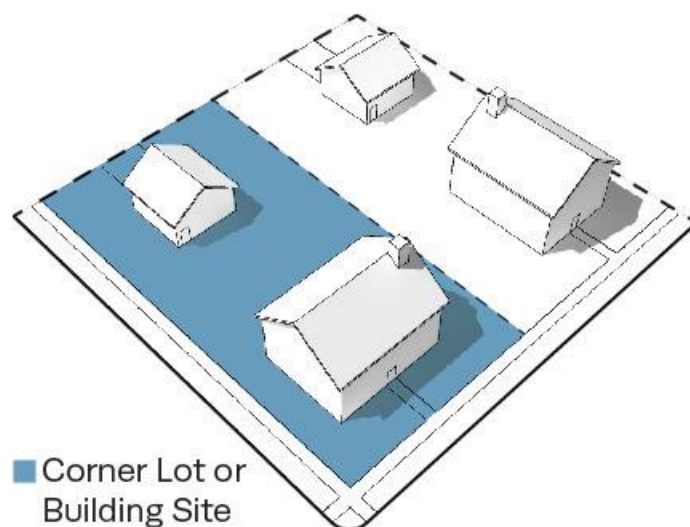
Continuum of Care Facility: a facility providing one or any combination of assisted living, nursing home, or skilled nursing for the elderly or other individuals incapacitated in some manner for medical reasons, as determined and licensed and/or certified by the Tennessee Department of Health, Board 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.

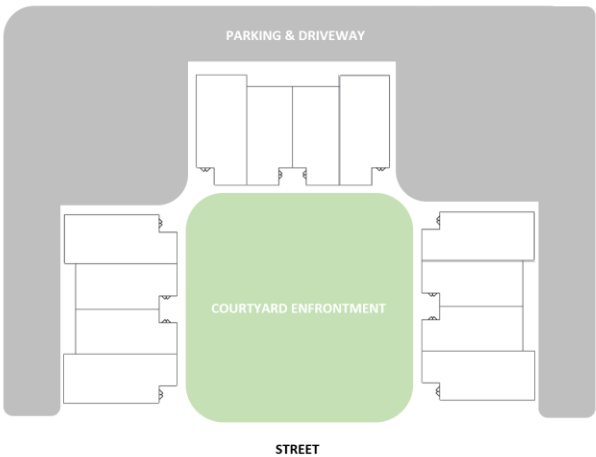
Cosmetic Reconditioning: incidental repair and refinishing of a vehicle, limited to plastic and trim parts, including bumpers, moldings, mirrors, headlight lenses, and the restoration of alloy wheels. Vehicle side panels may also be refinished when a bumper scrape carries onto a fender. Cosmetic Reconditioning 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.

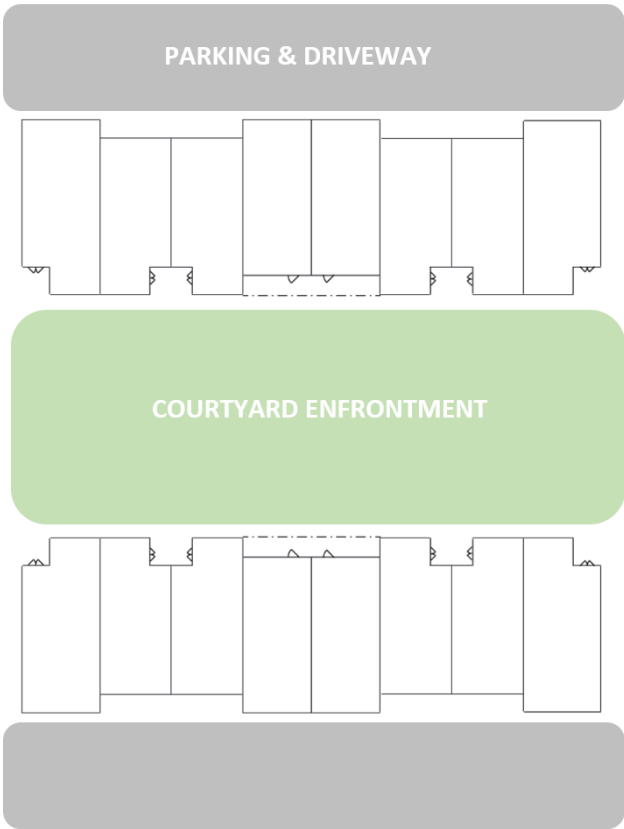
Counseling Service: an establishment providing counseling, guidance, or similar services to persons requiring rehabilitative or vocational assistance. This term includes job training and placement services.

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.

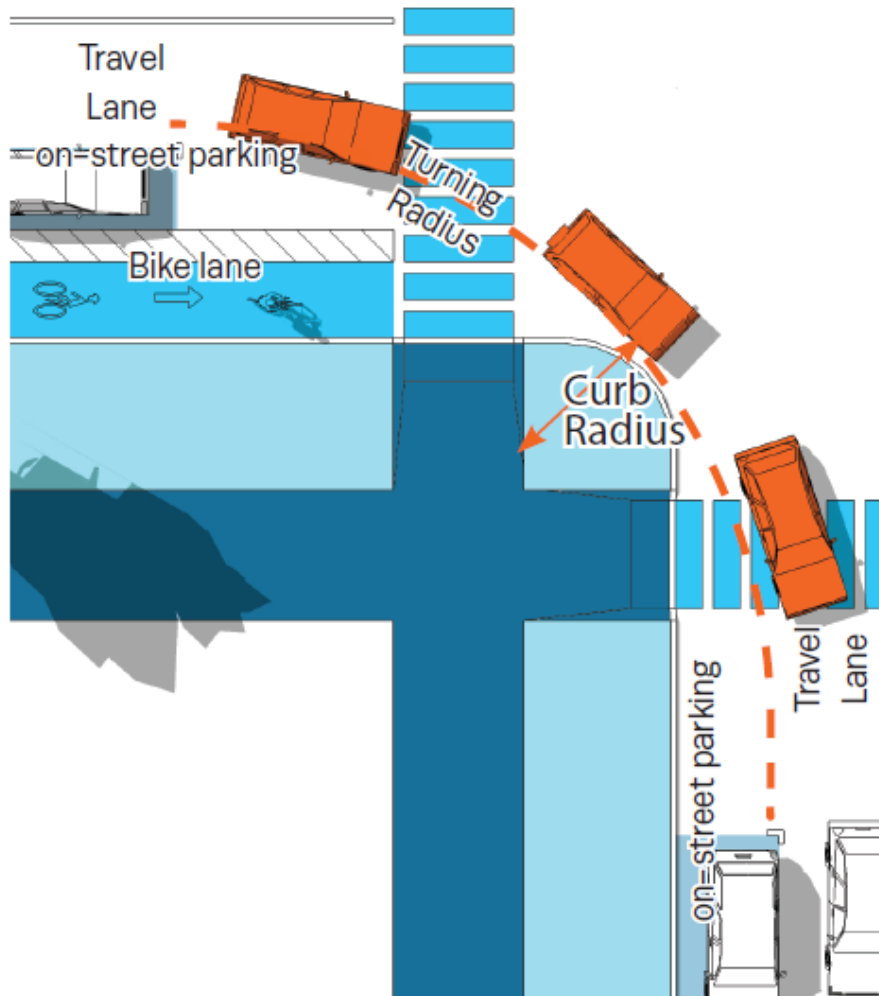
Critical Root Zone: with respect to a tree, a circular area measured outward from the tree trunk, representing the essential area of the roots that must be maintained for the tree’s survival. The Critical Root Zone is measured one foot of radial distance for every inch of tree at diameter at breast height, 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).

ILLUSTRATION 9.3.C-3 CURB RADIUS



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.

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, 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.

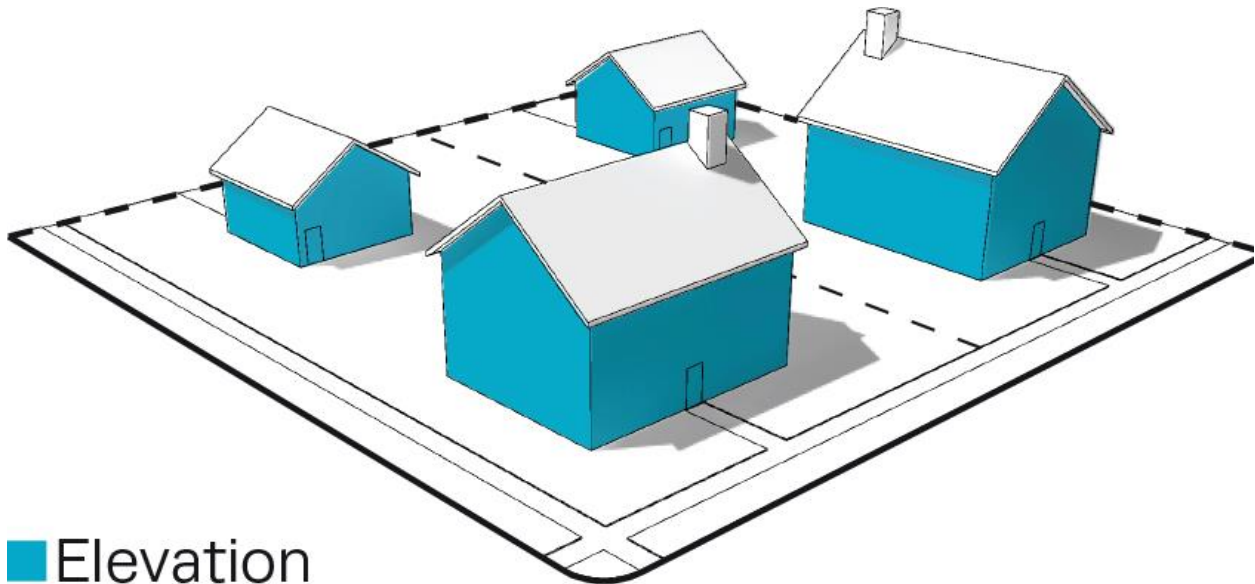
Effective Turning Radius: the measurement of the inside Turning Radius, taking parked cars into account.

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



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.

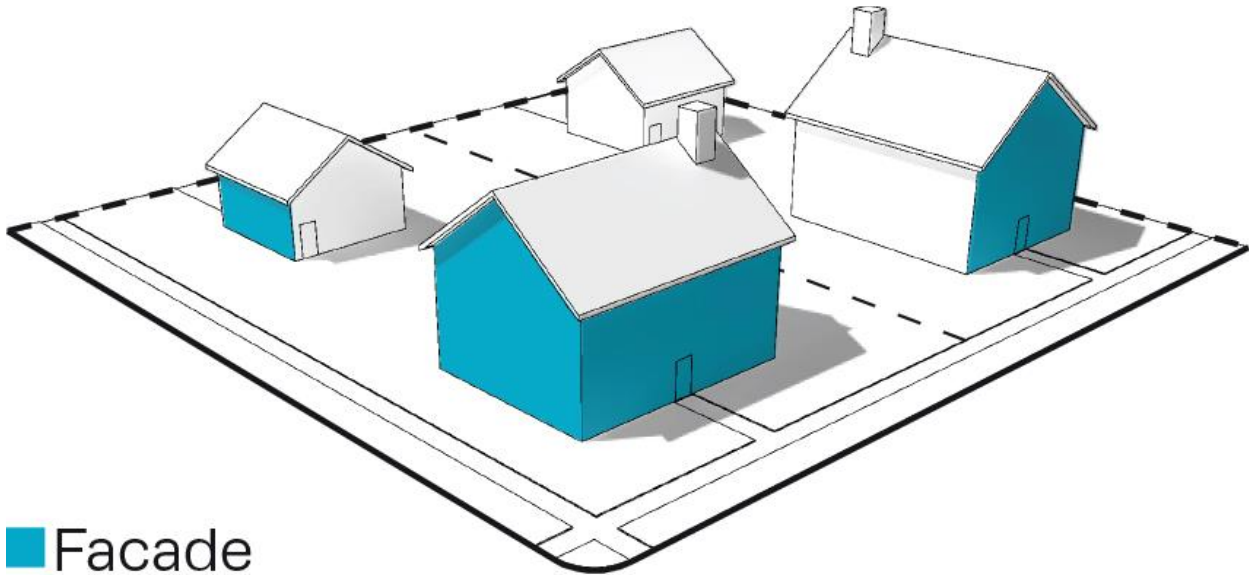
Exterior Architectural Appearance: the architectural character and general composition of the exterior of a Structure, including but not limited to the kind, color, and texture of the building materials and the type, design, and character of all windows, doors, light fixtures, Signs, and appurtenant 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 refractory 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



■ 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.

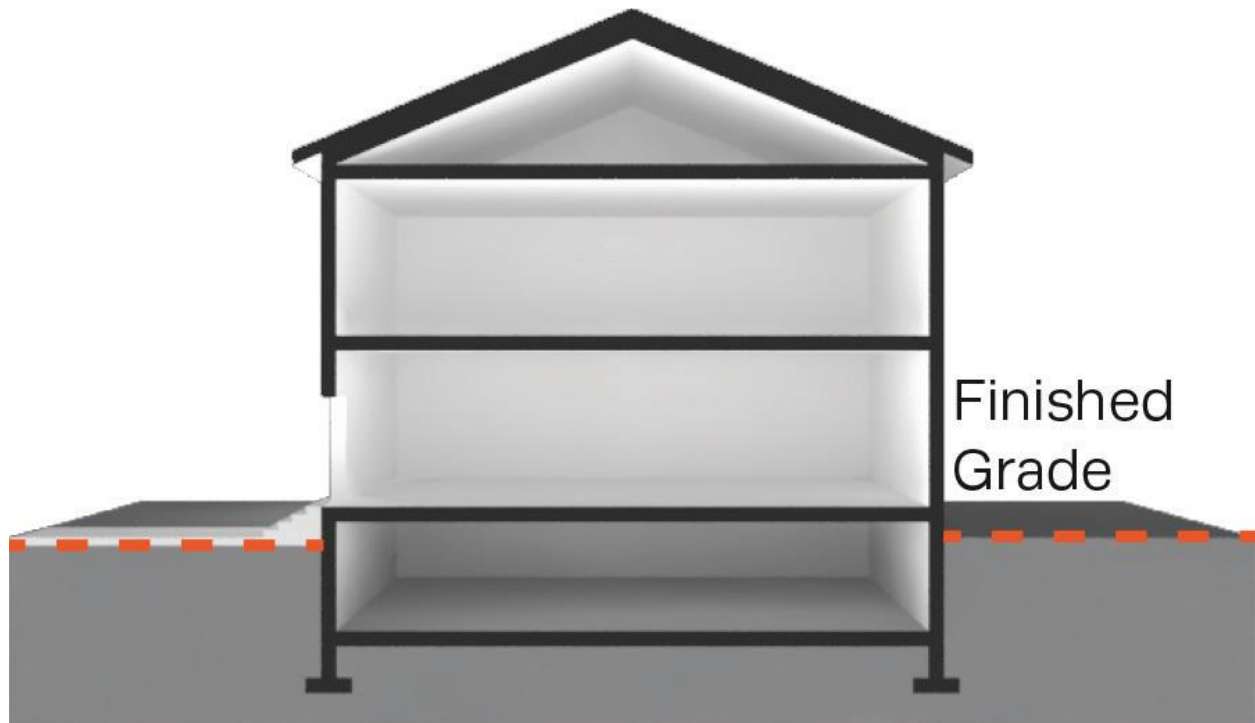
Final Plat: as defined in City Subdivision Regulation Section 2.3.

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:

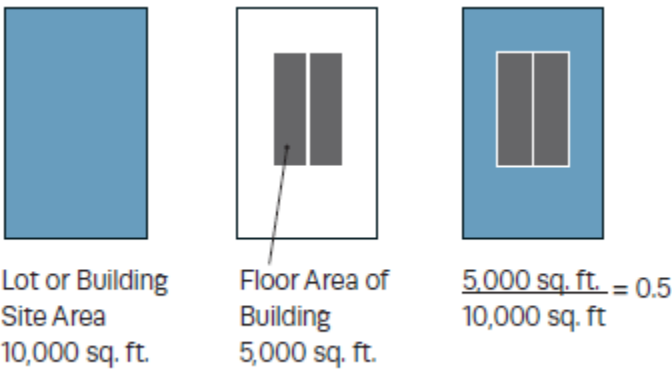
- (1) Areas used for off – street Parking spaces or loading berths and Driveways and maneuvering relating thereto where required by this Ordinance
- (2) In the case of Non-Residential facilities: arcades, porticoes, and similar open areas which are accessible to the general public, and which are not 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:

$$\frac{\text{Aggregate Floor Area}}{\text{Lot or Building Site Area}} = \text{Floor Area Ratio}$$

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.

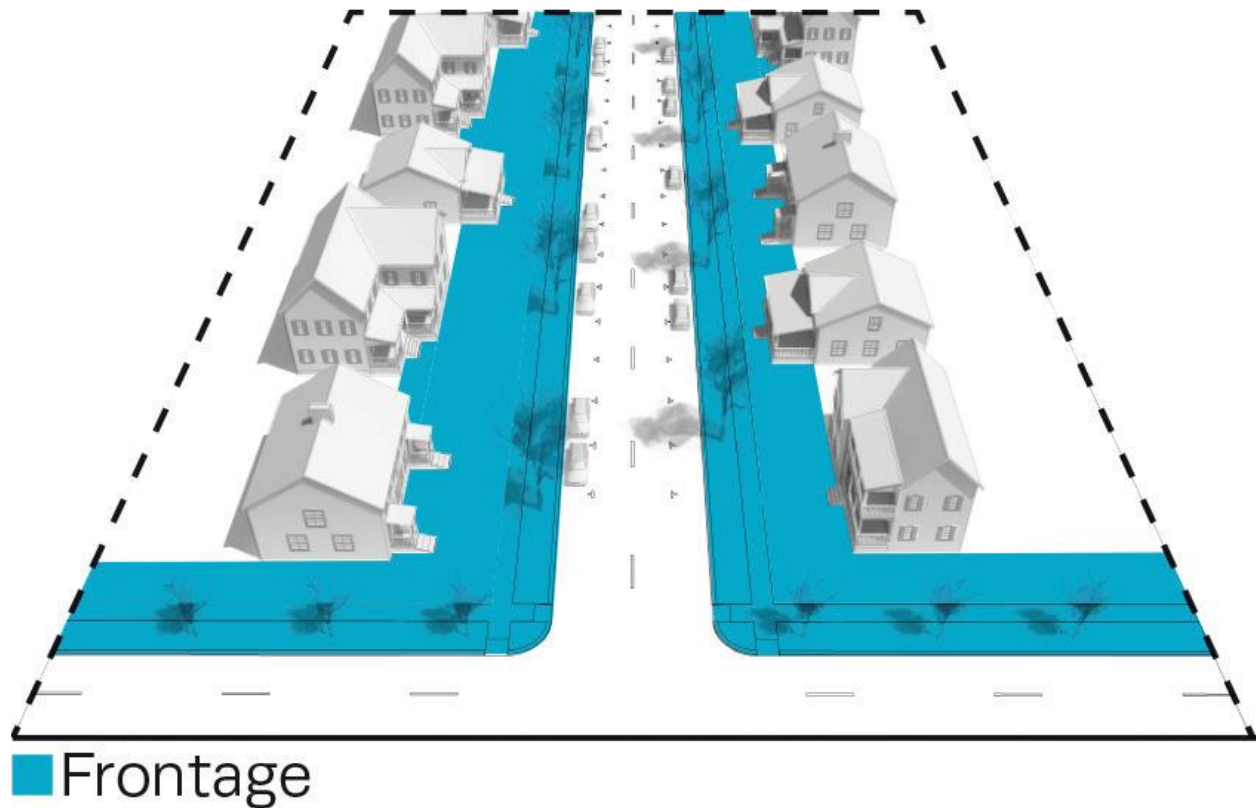
Food Truck Court: A parcel of land where two or more Mobile Vendors congregate to offer food and beverage for sale to the public as the principal use of the site, where permitted by Table 4.3.9.A-1. This definition shall not be interpreted to include a congregation of mobile food vendors as an accessory 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

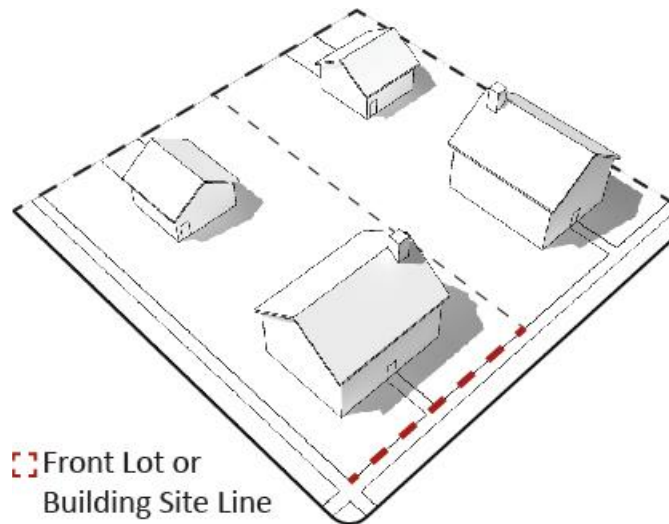


Frontage Line: the common line that separates the Private Frontage from the Public Frontage, typically at the Front Lot or Building Site Line in cases where the entire Public Frontage is with the public right-of-way.

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.

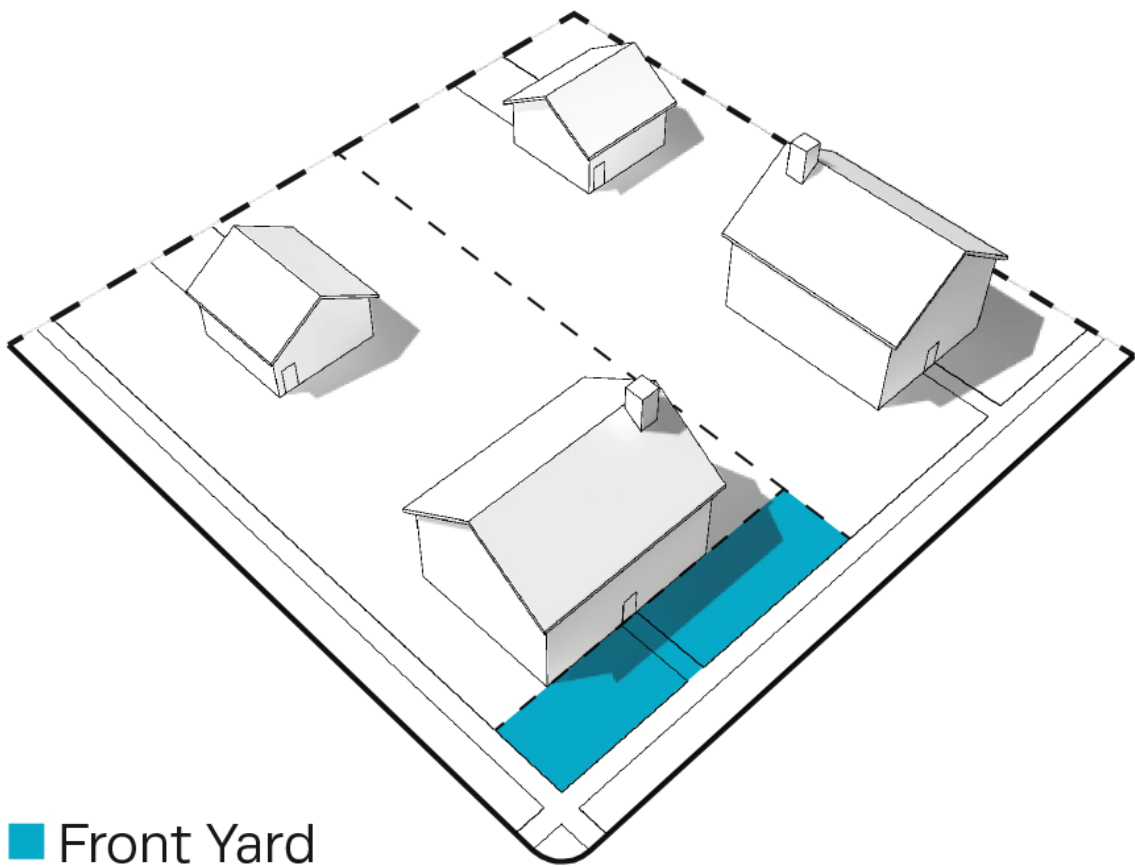
Front Lot or Building Site Line: the boundary at the front of a Lot or Building Site along the Thoroughfare right-of-way or Internal Drive. See Illustration 9.3.F-5 (Frontages and Lot or Building Site Lines).

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



■ Front 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.

Current Assessed Value of Structure - *Estimated Value of Foundation* = 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.

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.

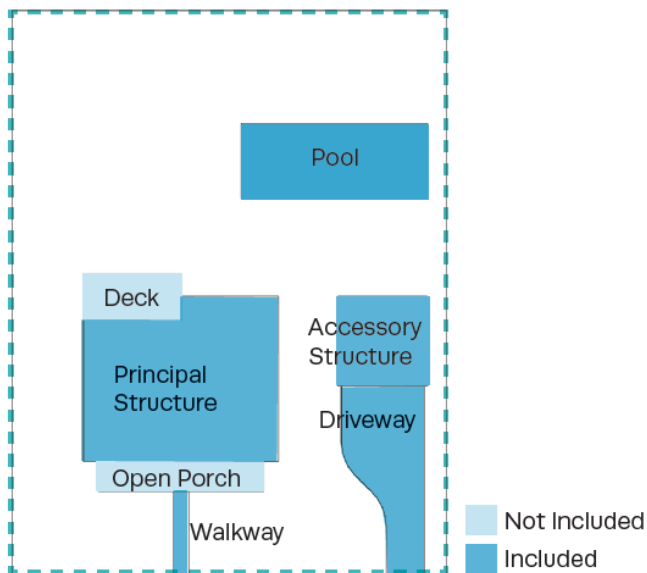
House Trailer: any Trailer designed to be used for living purposes with its wheels, roller or skids in place.

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;

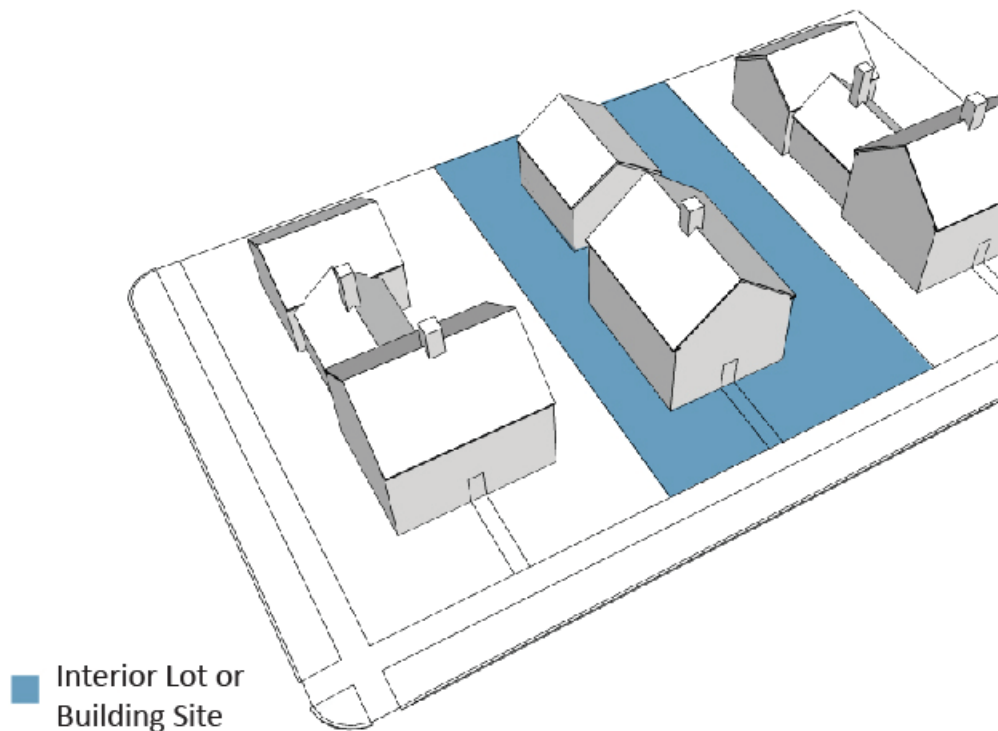
(2) Industrial Uses is the Use category, which is a collective reference to Uses in the following Use sub-Categories, as listed in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses) Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Temporary Uses): Heavy 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 commercial and industrial 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).

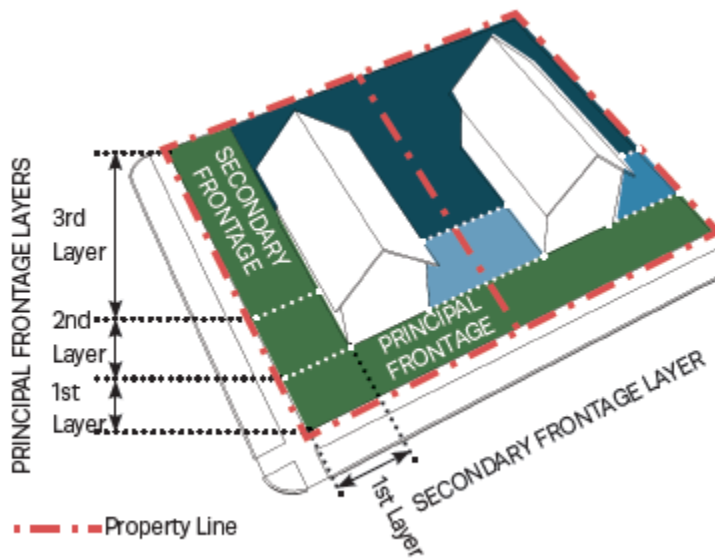
Large Projecting Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards).

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.
- (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.
- (3) that 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.

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:

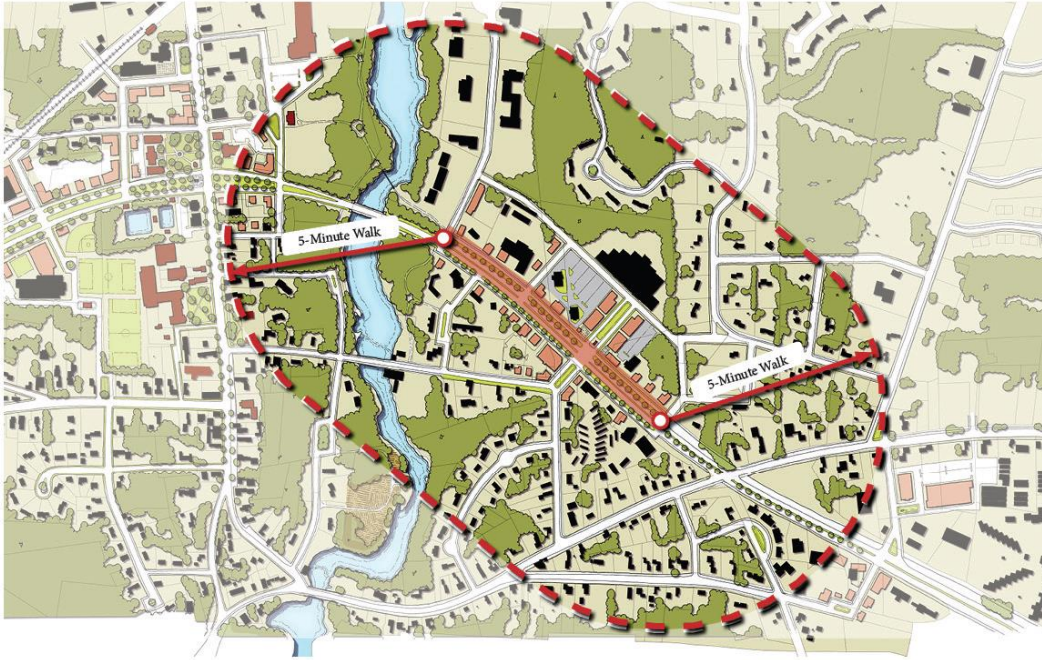
- (1) Heavy Industrial Uses;
- (2) Manufacture and production of goods from composting organic material (see Waste-Related Service);
- (3) Outdoor storage yard (see Warehousing and Freight Movement);
- (4) Sale or rental of machinery, equipment, heavy trucks, building materials, special trade tools, 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 at 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).

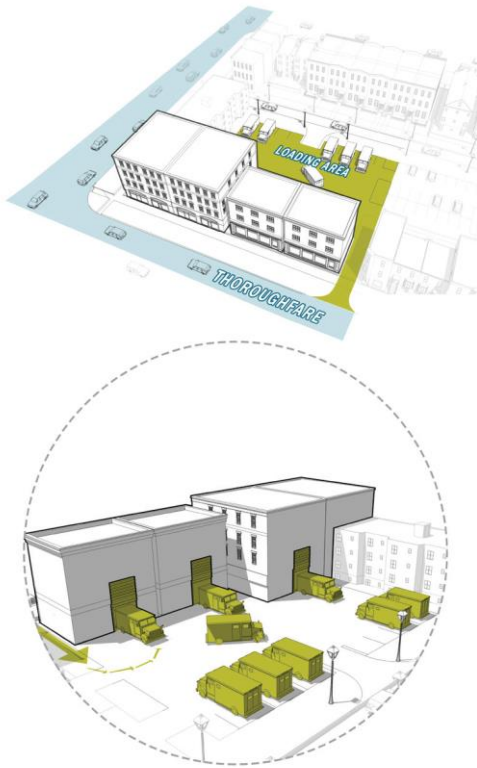
ILLUSTRATION 9.3.L-2 LINER BUILDING

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



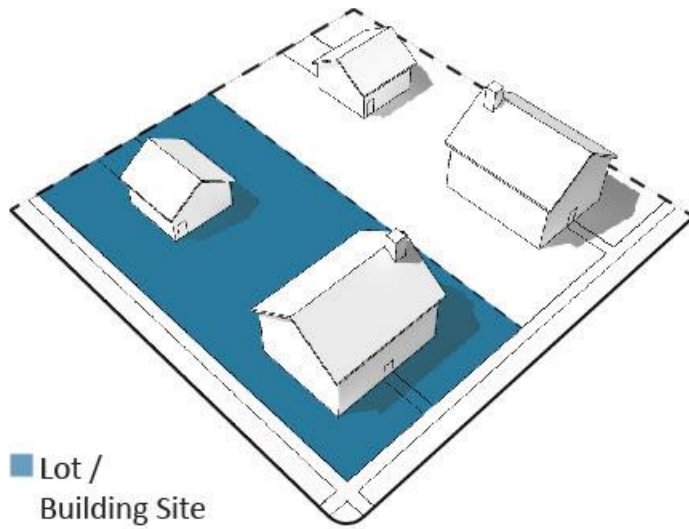
Loading Space: a space within a Loading Area that meets the design and dimensional requirements of Section 4.3.14.

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

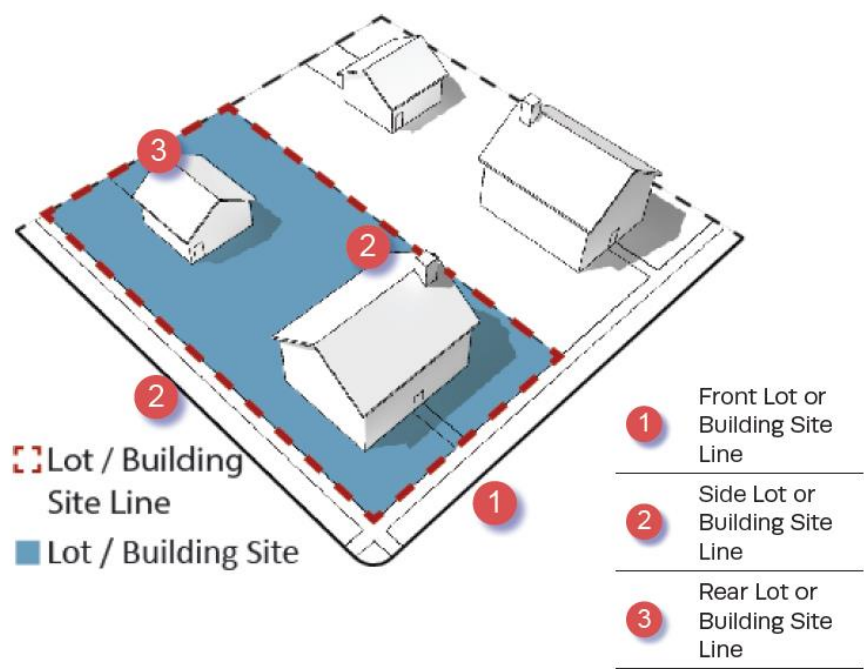


Lot or Building Site Area: the total horizontal area included within the Lot or Building Site Lines.

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

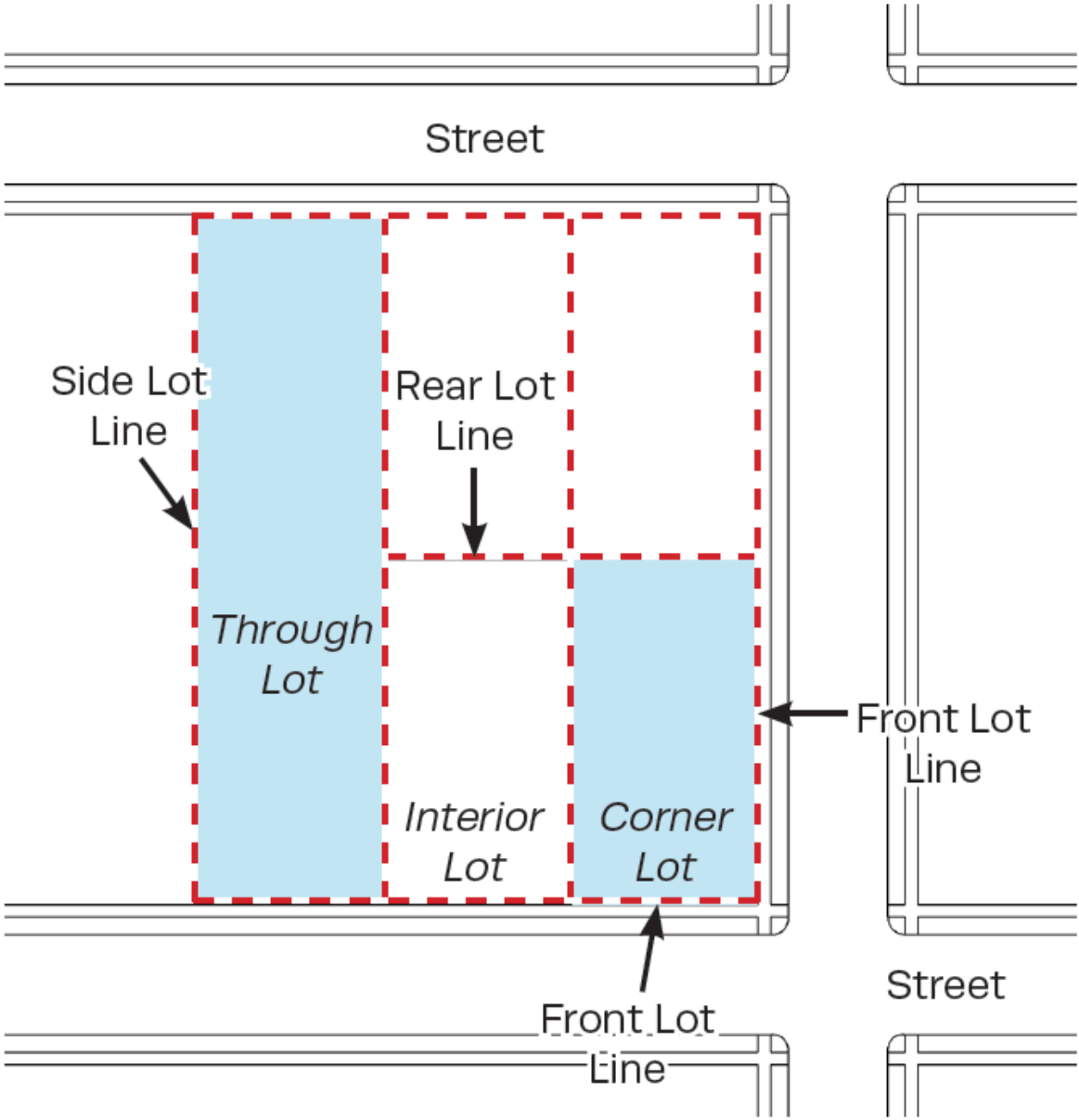


Lot or Building Site Width: the length of the Principal Frontage Line of a Lot or Building Site.

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.

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).

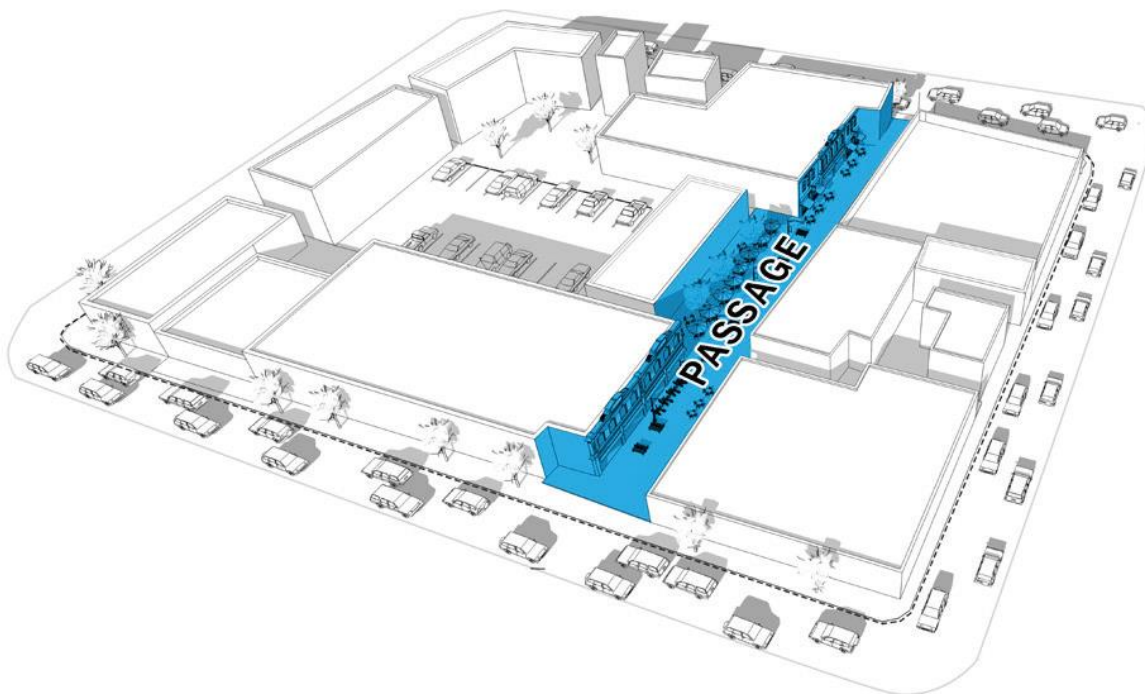
Parking Space: an area required or provided for Parking a vehicle, meeting the requirements of Section 4.3.12.

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



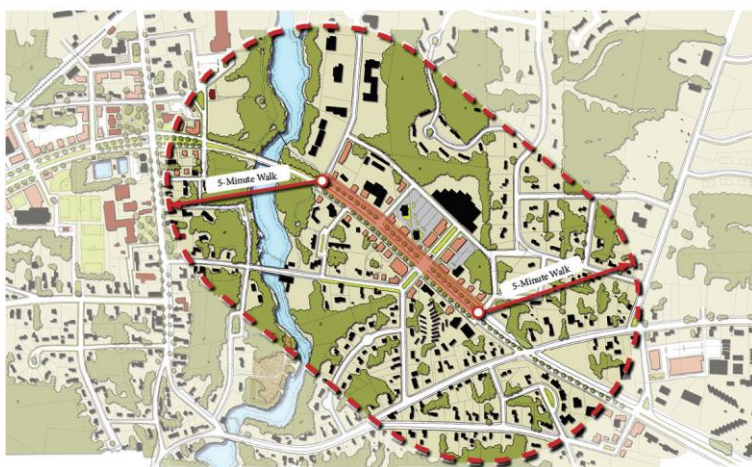
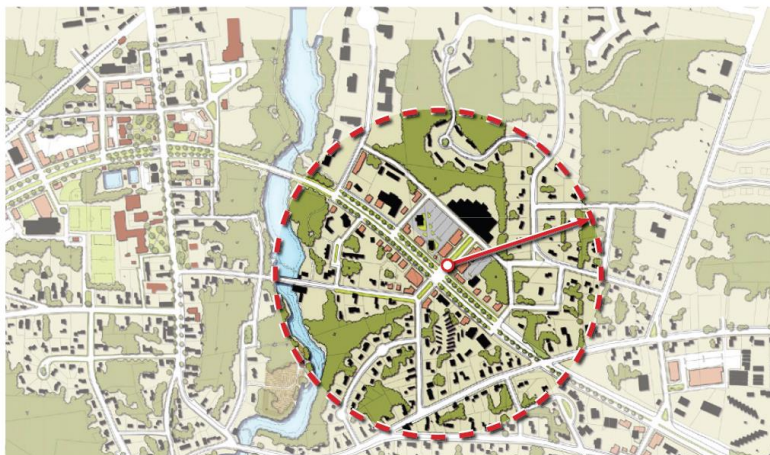
Passive Recreation: outdoor recreational activities, such as nature observation, hiking, and canoeing or kayaking, which require a minimum of facilities or Development and which have minimal environmental impact on the recreational site.

Path (PT): a pedestrian way traversing an open greenspace with a minimum area of 5,000 square feet , with landscape matching contiguous Civic Space, connecting directly with the 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.

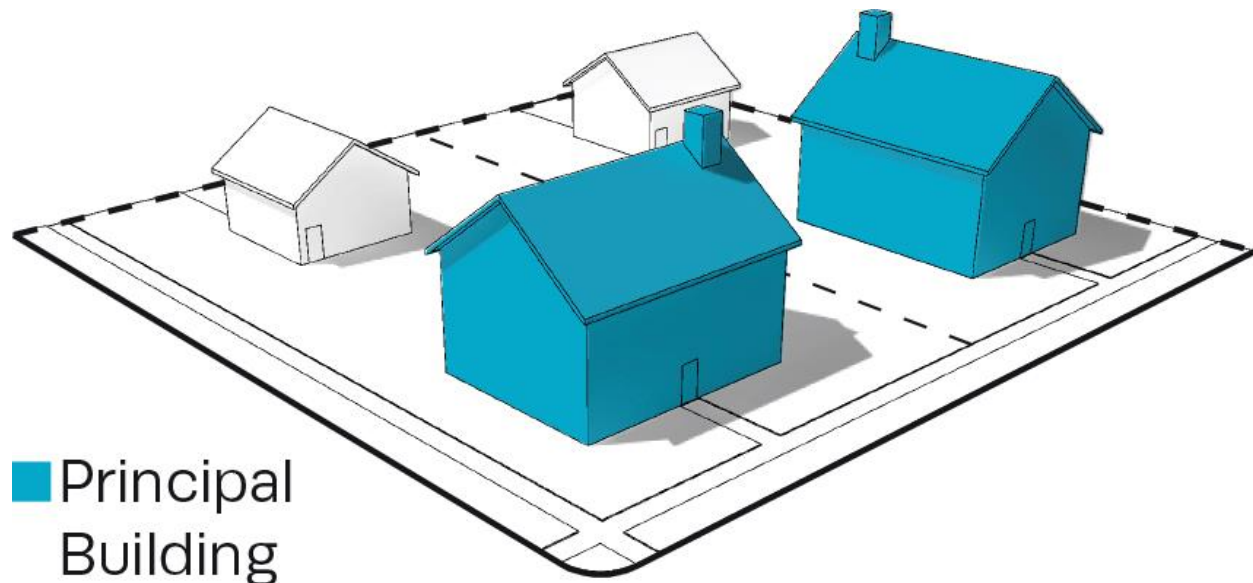
Post Sign: the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-2 (Sign Types - Specific Standards)

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).

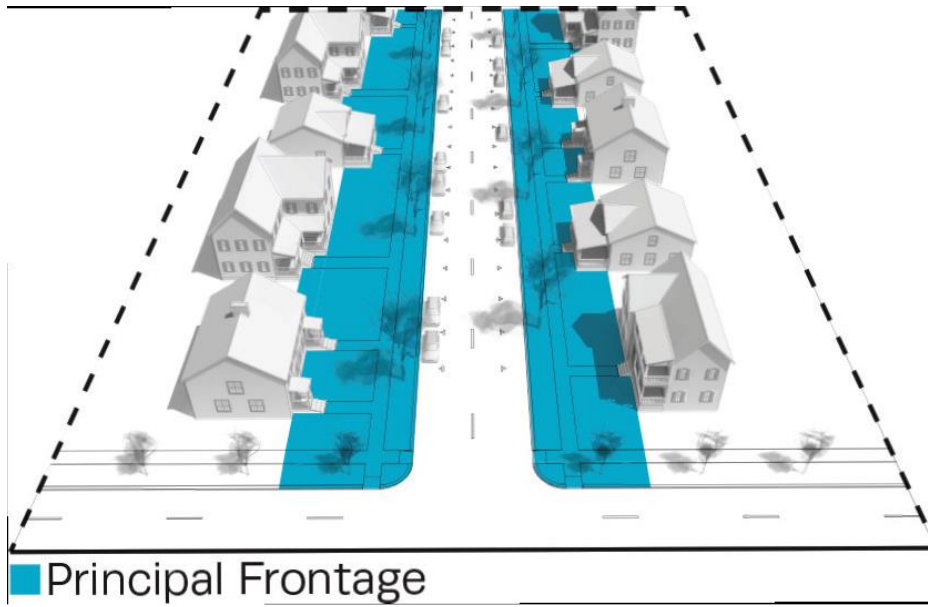
ILLUSTRATION 9.3.P-3 PRINCIPAL BUILDING



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

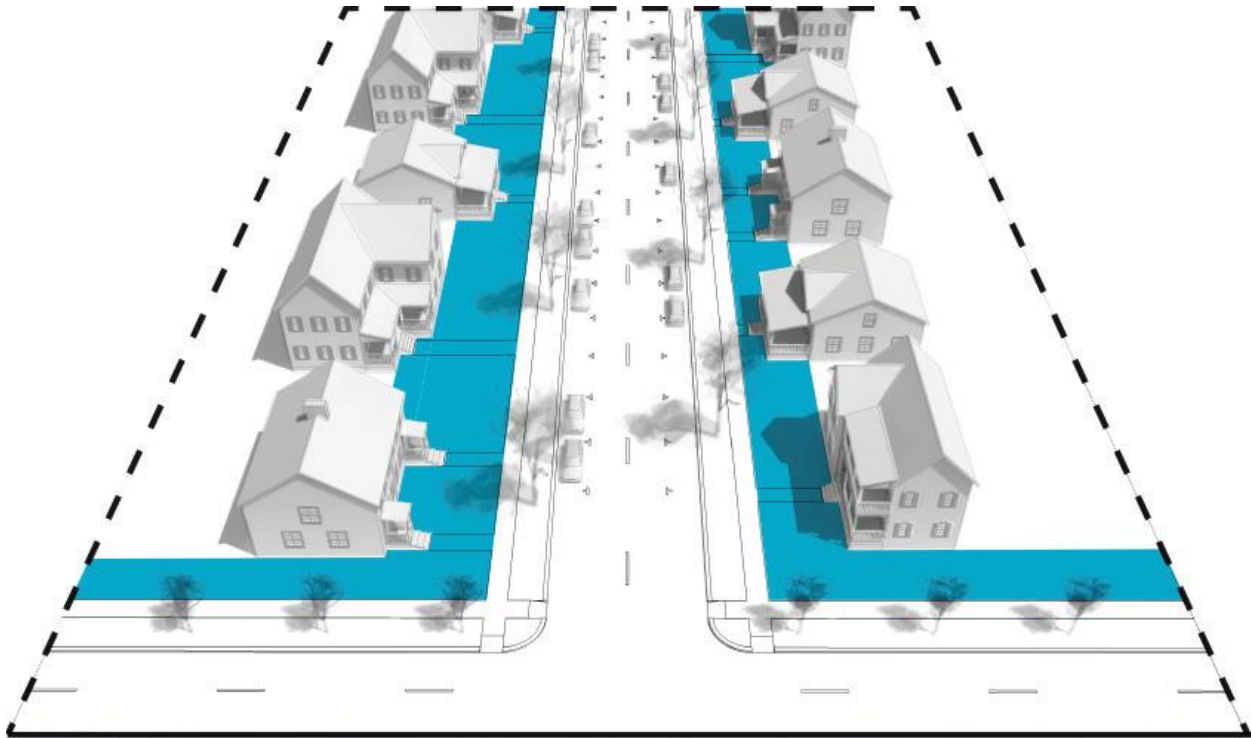


Principal Use: the primary or predominant Use of a Lot, Building Site, or Structure.

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



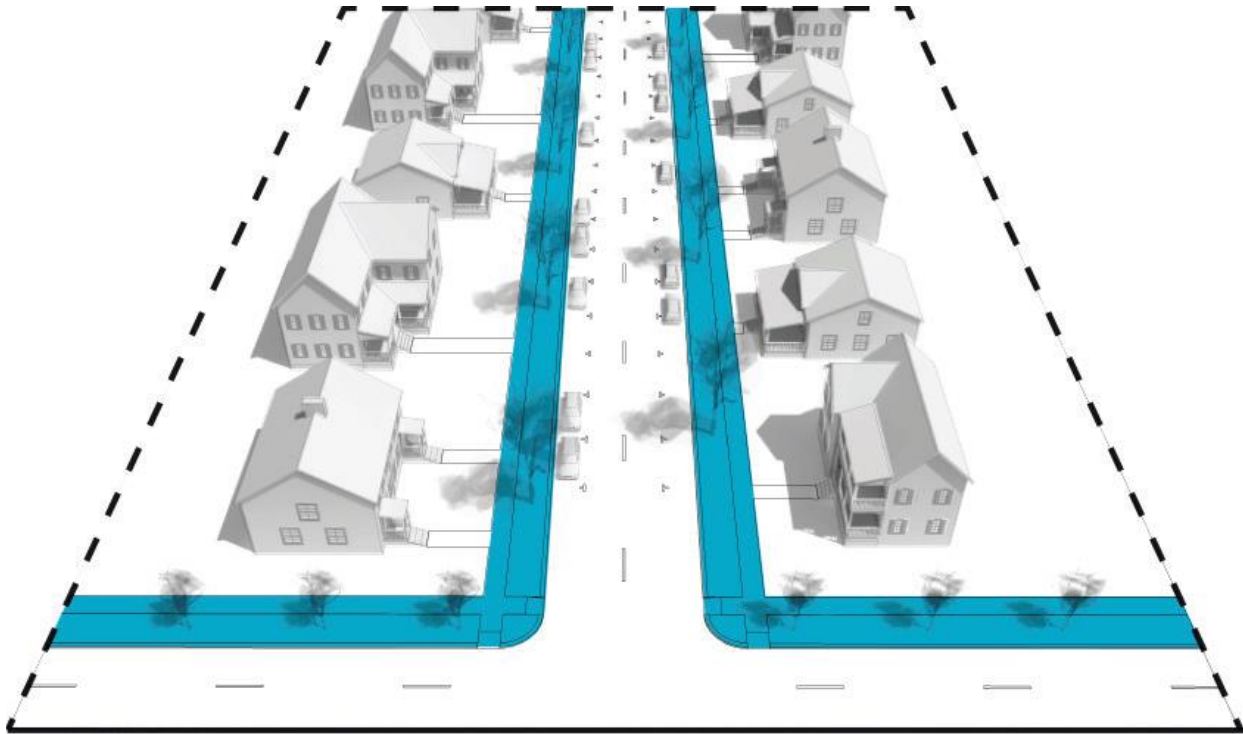
■ Private Frontage

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



■ 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.

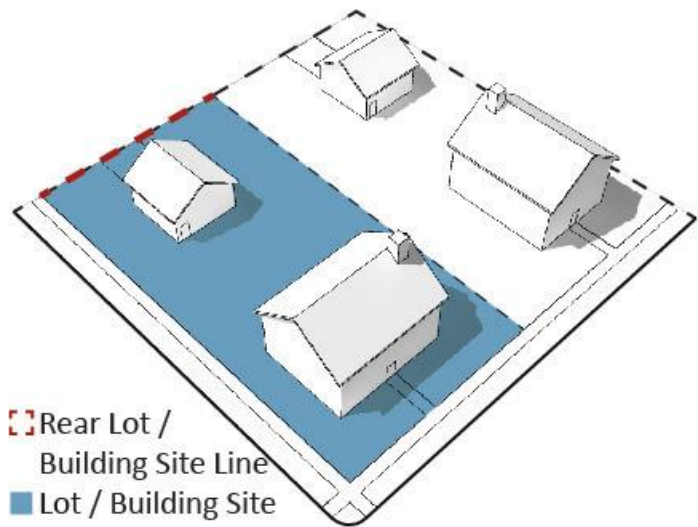
Public Meeting: a duly convened meeting of a Decision- Making Authority as contemplated under applicable state law, including public meetings, public hearings, workshops, and site visits.

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).

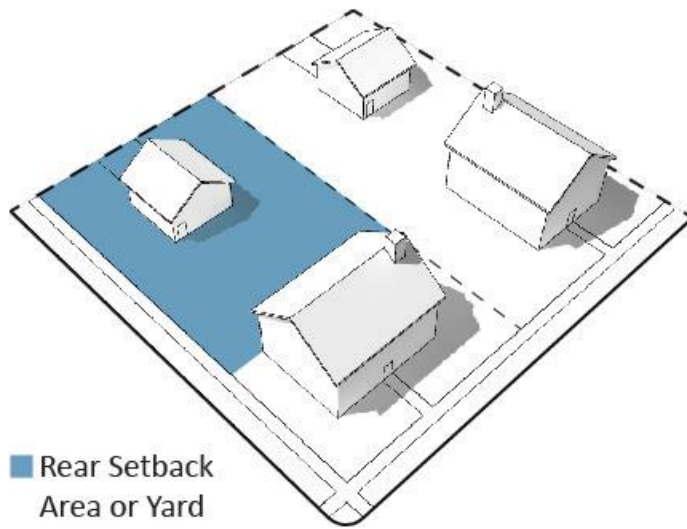
ILLUSTRATION 9.3.R-2 REAR SETBACK AREA OR REAR YARD



Rail Equipment Storage / Repair: Use involving premises for storing or repairing locomotives, rail cars, or other rail vehicles.

Rear 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.

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 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”.

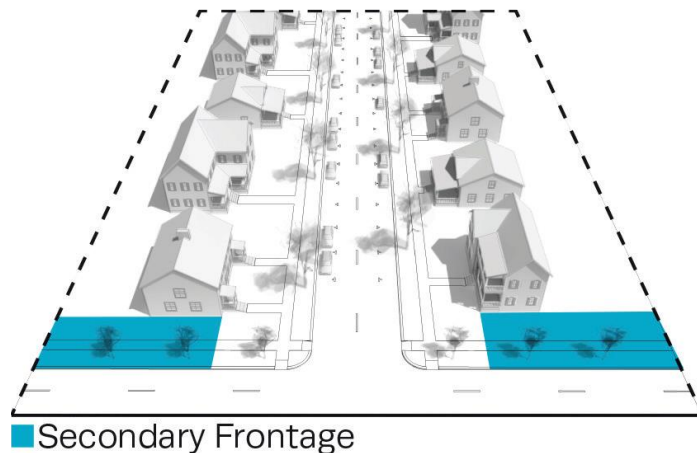
Scrap or Salvage Yard / Service: a Use, other than an Impound Yard or Towing Facility, in which an establishment is engaged primarily in the sale, storage, assembling, dismantling, sorting, distributing, or other processing of scrap, used equipment, mechanical components, or waste materials, including 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.

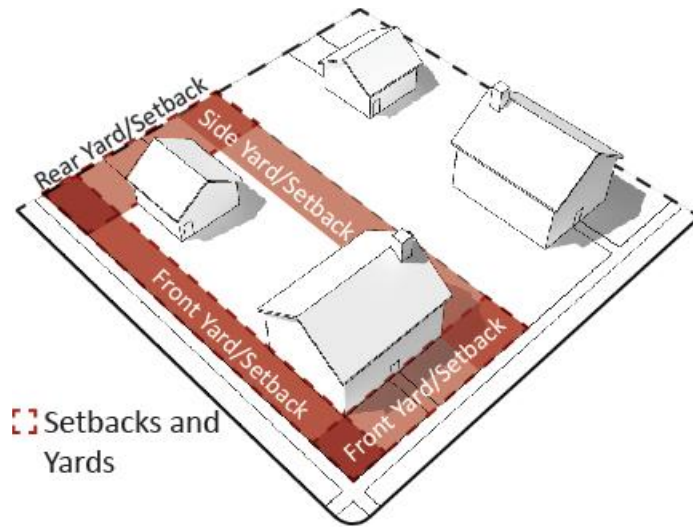
The following are not Self-Service Storage Facilities:

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.

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

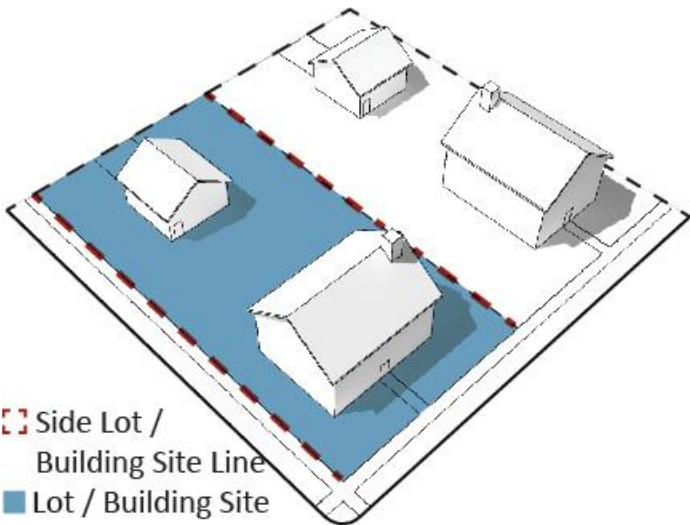
Line with the Building entrance at Sidewalk grade. This Frontage has substantial glazing at the Sidewalk level and may include an awning overlapping the Sidewalk. See Table 4.3.7.A (Private Frontage Types).

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

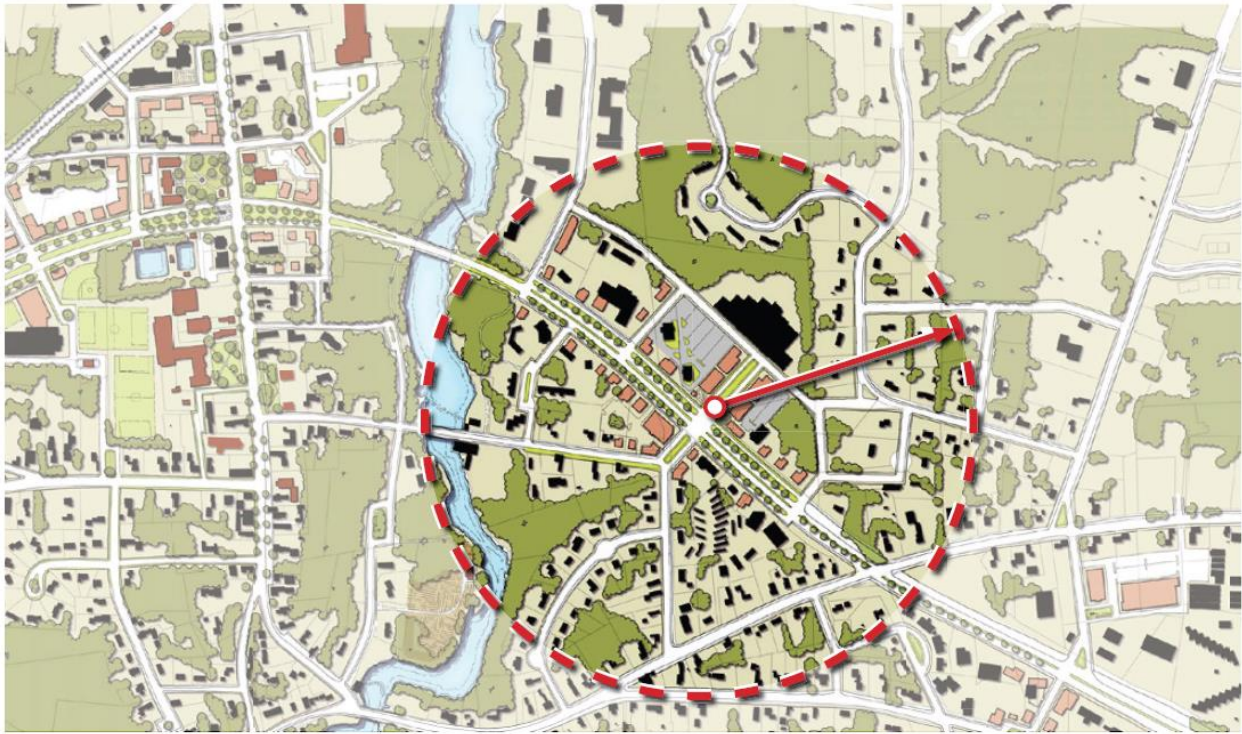
5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B (Civic Space - Specific Standards); excluding Sports Venues. May include associated Structures.

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

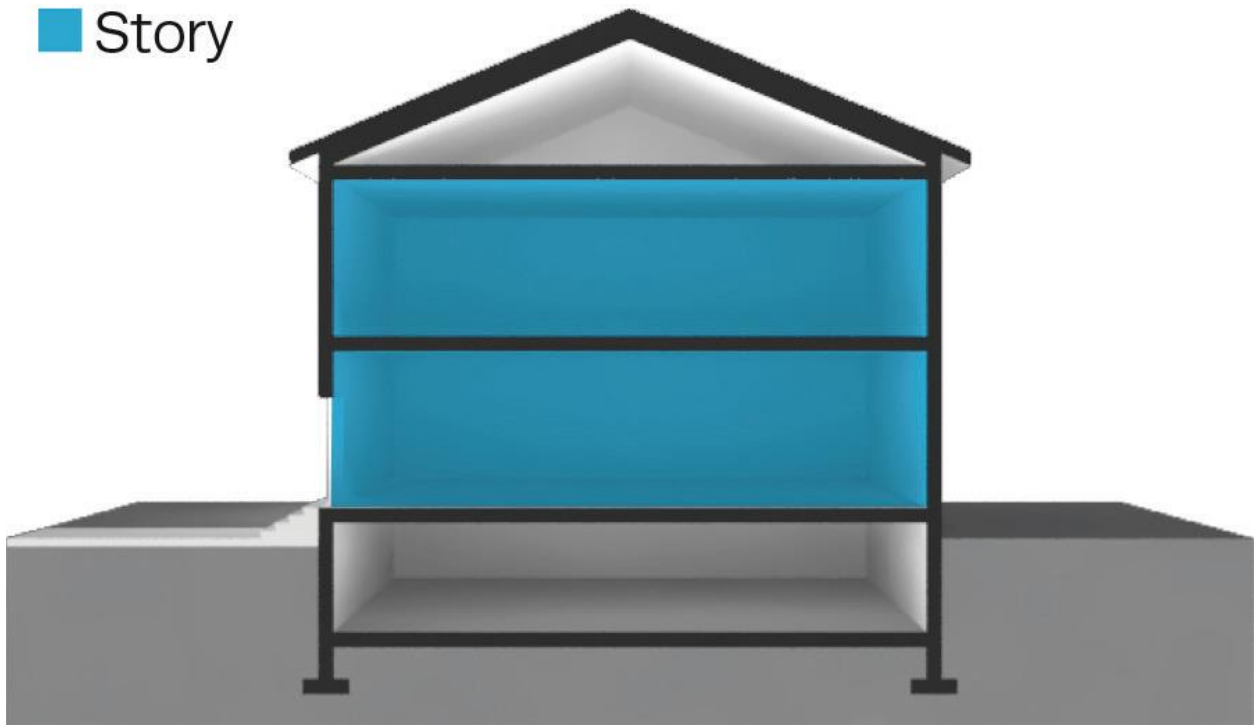


Stoop: a Private Frontage type wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy. An exterior stair and landing provides access to the entrance. This type is recommended for ground-floor Residential Use. See Table 4.3.7.A (Private Frontage 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

■ 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.

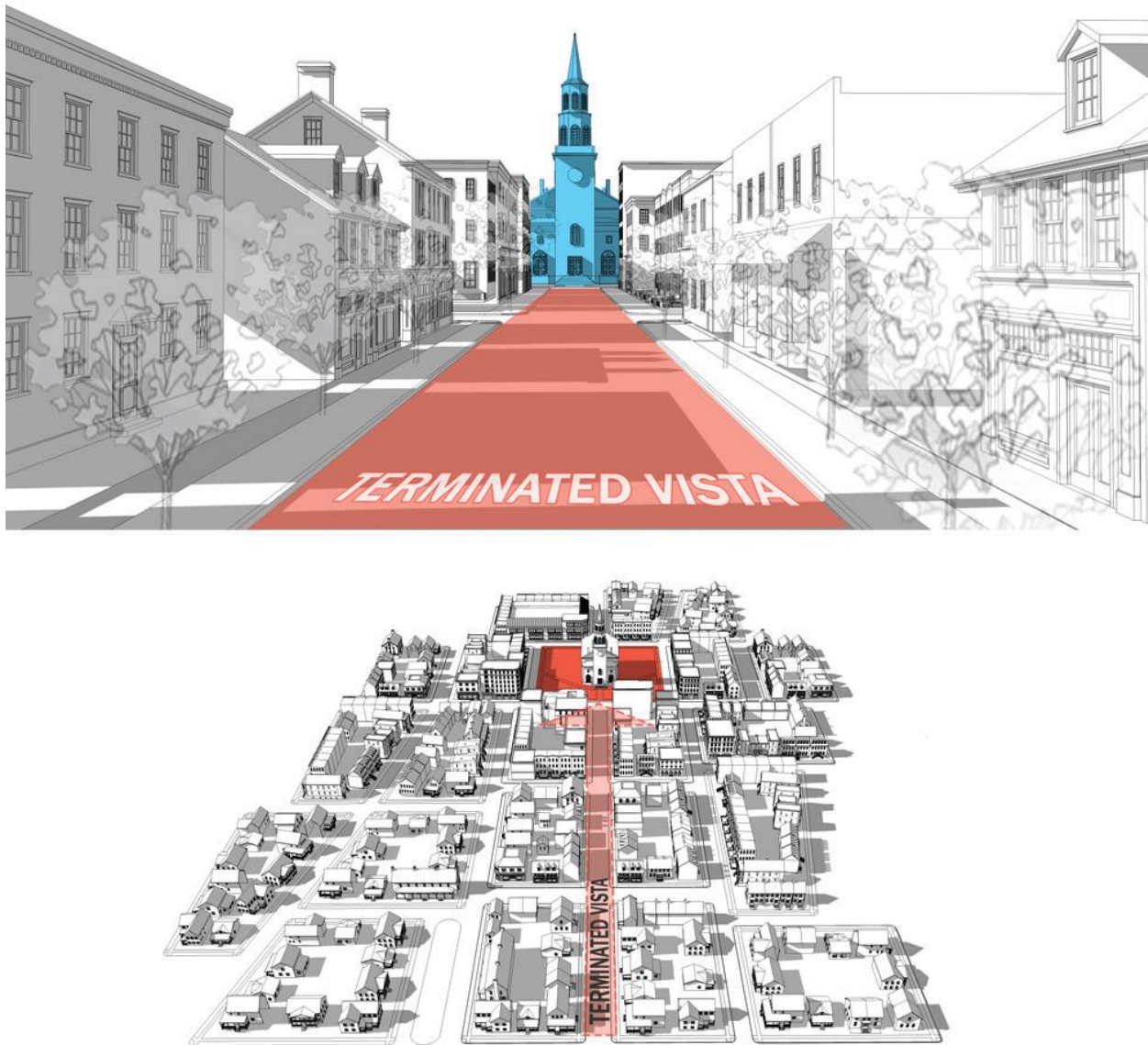
Temporary Sign: any Sign which is not permanently installed, mounted, or placed. Signs of the types described in Table 7.1.2.B-1 (Summary of Sign Types) and Table 7.1.2.B-2 (Sign Types - Specific Standards) are not Temporary Signs.

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).

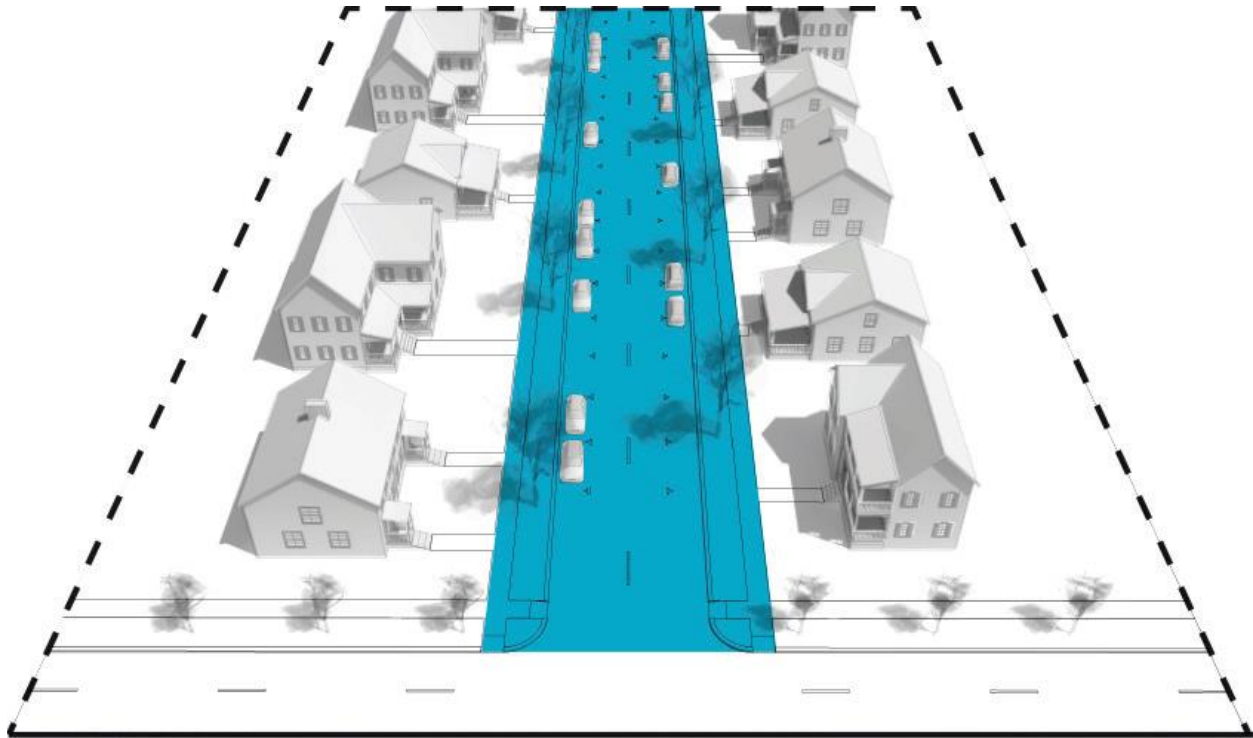
Theater: a Building or part of a Building devoted to the showing of motion pictures, or theatrical or performing arts productions, as a Principal Use.

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”.

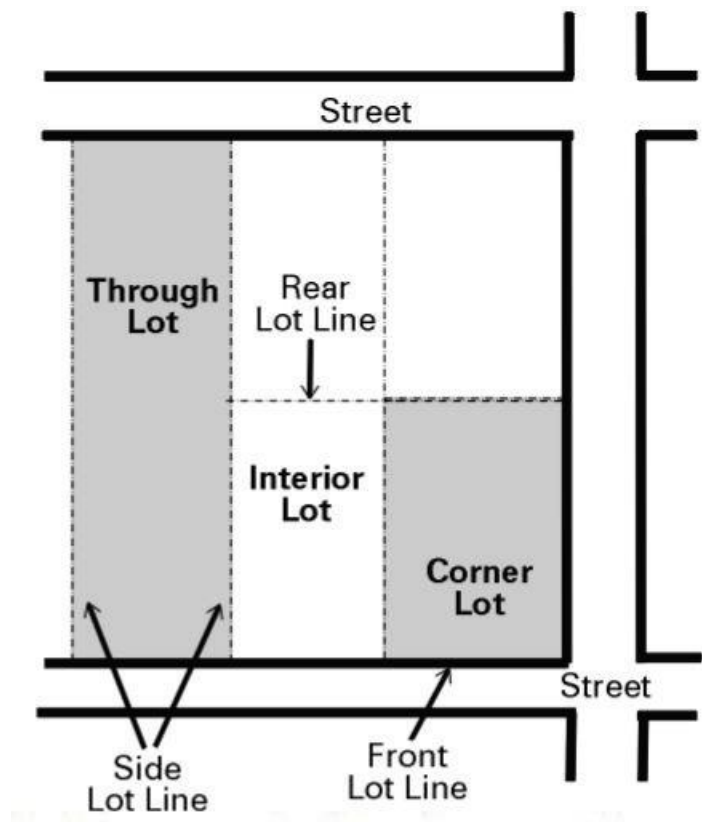
ILLUSTRATION 9.3.T-2 THOROUGHFARE



■ 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.

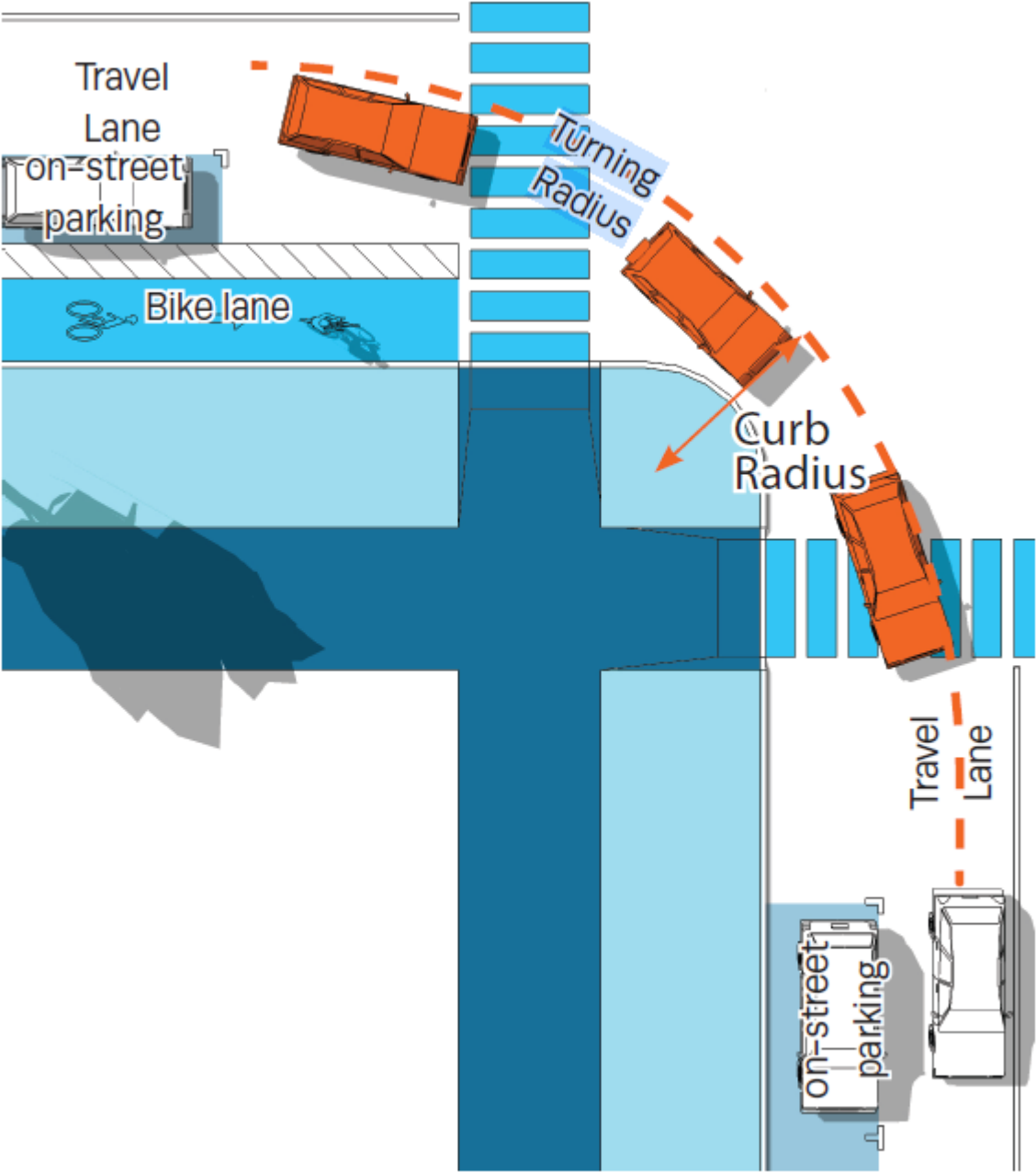
Transit Shelter: accommodation providing shelter from the elements for waiting transit riders, excluding a Transit Station or Terminal.

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 concrete, 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



Usable Floor Area: the Floor Area within a Building, less the area of space used for utilities or storage.

$$\begin{array}{rcl} \text{Floor Area} & & \text{Useable} \\ \text{Within Building} & - & \text{Space Used For} & = & \text{Floor Area} \\ & & \text{Utilities or Storage} & & \end{array}$$

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.

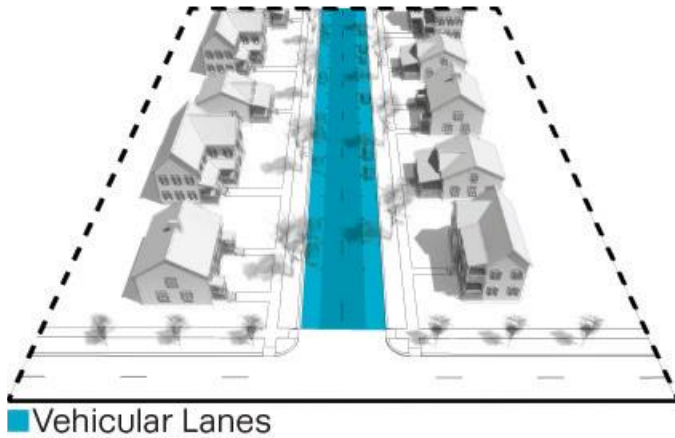
Utility Pumping Station: a facility at which water, sewage, or other Utility fluids are pumped from one place to another.

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).

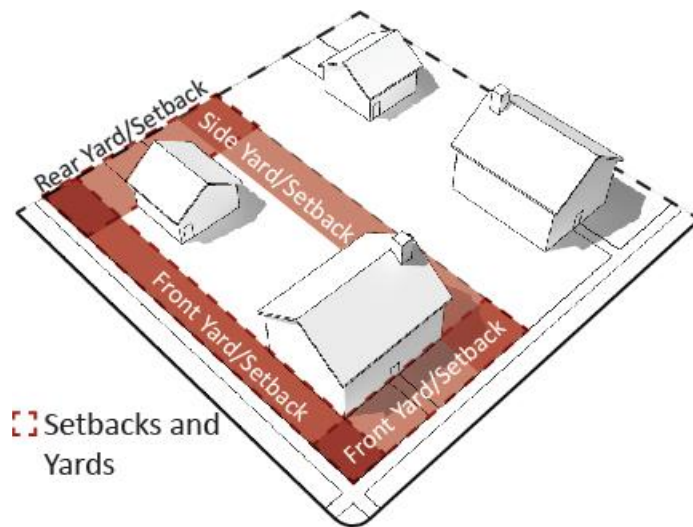
Winery: an establishment which is primarily used for the manufacture of vinous beverages in accordance with applicable state and local regulations.

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



Zoning Administrator: the City Planning 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.

ARTICLE 9:

DEFINITIONS

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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.

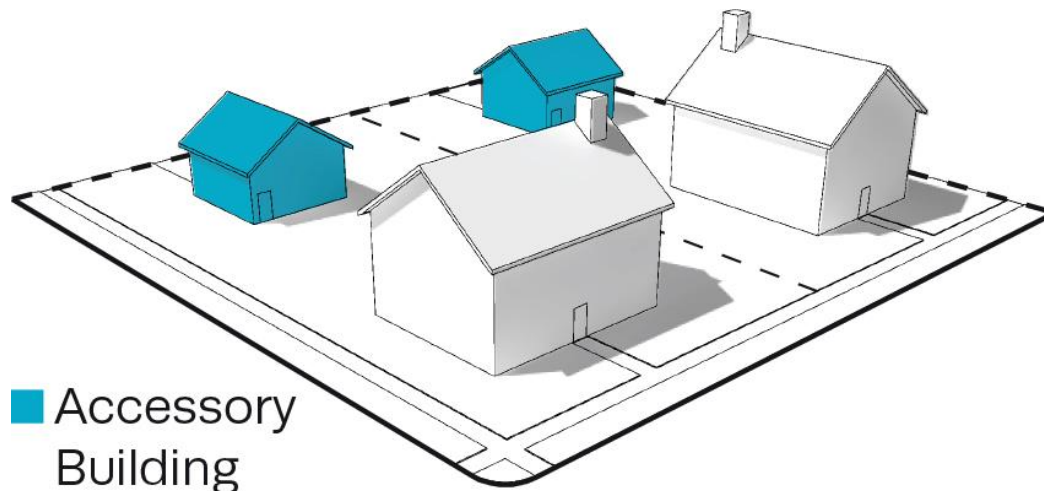
For purposes of this Ordinance, the following terms shall have the meanings set forth below unless the context clearly indicates or requires a different meaning:

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.

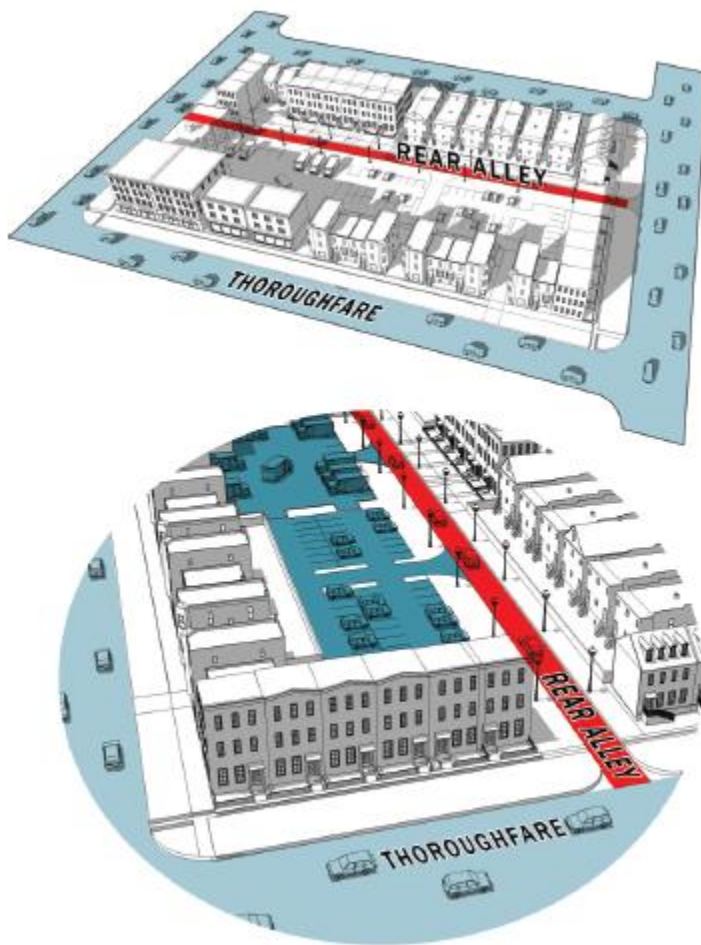
Agricultural and Extractive Uses: (1) collectively, Agricultural Uses and Extractive Uses; (2) a collective reference to Uses in the following sub- Categories: Agricultural Uses and Extractive Uses, as listed in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses) Table 4.3.9.A-2 (Building, 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



196

197 **Alteration / Alter:** as applied to a Structure, an Addition or a change, rearrangement, or modification in
 198 the structural members or elements or the exit facilities, or in any element of the Private Frontage, the
 199 Facade or any other exterior architectural feature, including without limitation erection, construction,
 200 reconstruction, or removal; any diminution; any enlargement, whether by extending on a side or by
 201 increasing in height; moving from one location or position to another; increasing the Floor Area;
 202 expending an amount more than 50% of the fair market value; or increasing the fair market value by more
 203 than 50%. Alteration does not include Ordinary Maintenance or Repair. The term Alter, in its various
 204 modes and tenses and its participial form, refers to the making of an Alteration.

205

206 **Alternative Tower Structure:** as related to Wireless Communication Facilities, trees, clock towers, bell
 207 steeples, light poles, water tanks and similar alternative – design mounting structures that camouflage or
 208 conceal the presence of antennas or towers.

209

210 **Antenna:** any exterior apparatus designed for telephonic, radio or television communications through the
 211 sending and/or receiving of electromagnetic waves.

212

213 **Applicant:** the owner, lessee, or contract vendee of the subject premises, or other person or entity
214 authorized to make application to a Decision-Making Authority or administrative Person pursuant to this
215 Ordinance.

216

217 **Arcade:** a Private Frontage type, which is conventional for Retail / Personal Service / Repair / Artistic /
218 Artisan Use, wherein a colonnade supporting habitable space in one or more upper levels overlaps the
219 Sidewalk, while the Façade at the first level remains at the Frontage Line. See Table 4.3.7.A (Private
220 Frontage Types).

221

222 **Area of Special Flood Hazard:** as defined in Section 6.12.2. Also may be referred to as “Special Flood
223 Hazard Area”.

224

225 **Artisan Establishment:** any Structure, premises, or establishment in or on which articles of artistic quality
226 or effect or handmade workmanship are produced with or without Retail sales of such articles. Examples
227 of activities that may be conducted in an Artisan Establishment are candle making, furniture making, glass
228 blowing, weaving, pottery making, woodworking, sculpting, painting, and tailoring.

229

230 **Art or Photography Studio:** premises accommodating the creation of works of art or photography, with
231 or with the exhibition or sale of such works.

232

233 **Artist Studio Space:** space used for the creation, production, rehearsal, or teaching of any performance,
234 visual, or literary art or craft, including but not limited to painting, drawing, graphic design, photography,
235 video, film, sculpture, pottery, written works of fiction or nonfiction, whether for live or recorded,
236 including music, dance, and theater, and accessory sales of such art.

237

238 **Assisted Living Apartment:** multiple unit Residential premises for elderly, infirm, or disabled residents, in
239 which housekeeping, meals, and other assistance are available to residents.

240

241 **Attached:** an enclosure having continuing walls, roof and floor.

242

243 **Attached Dwelling:** Residential premises characterized by two or more Dwelling Units being incorporated
244 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.

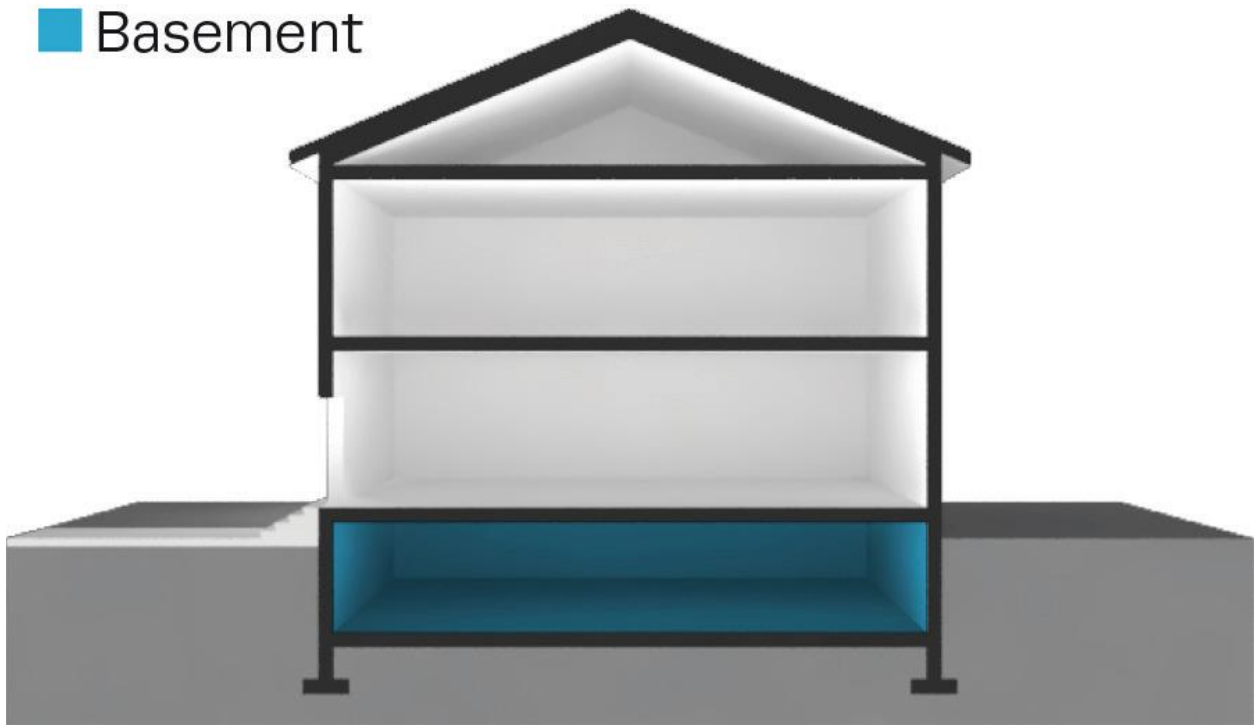


Base Flood Elevation: as defined in Section 6.12.2.

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

■ 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.

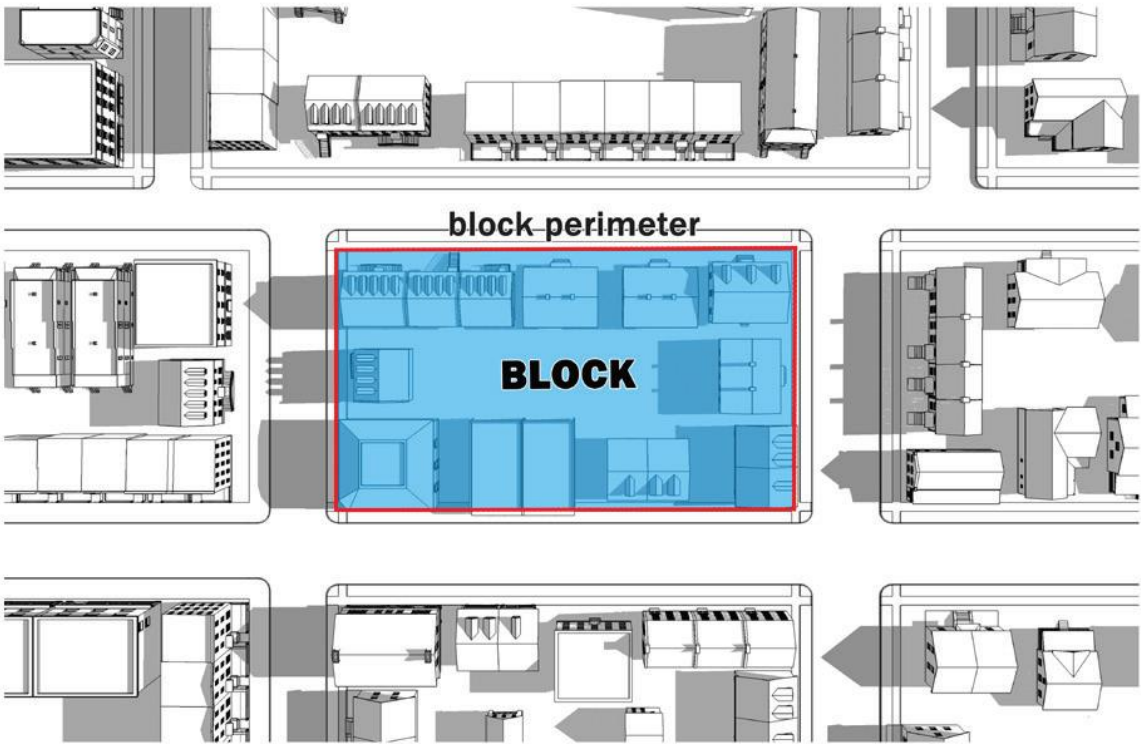
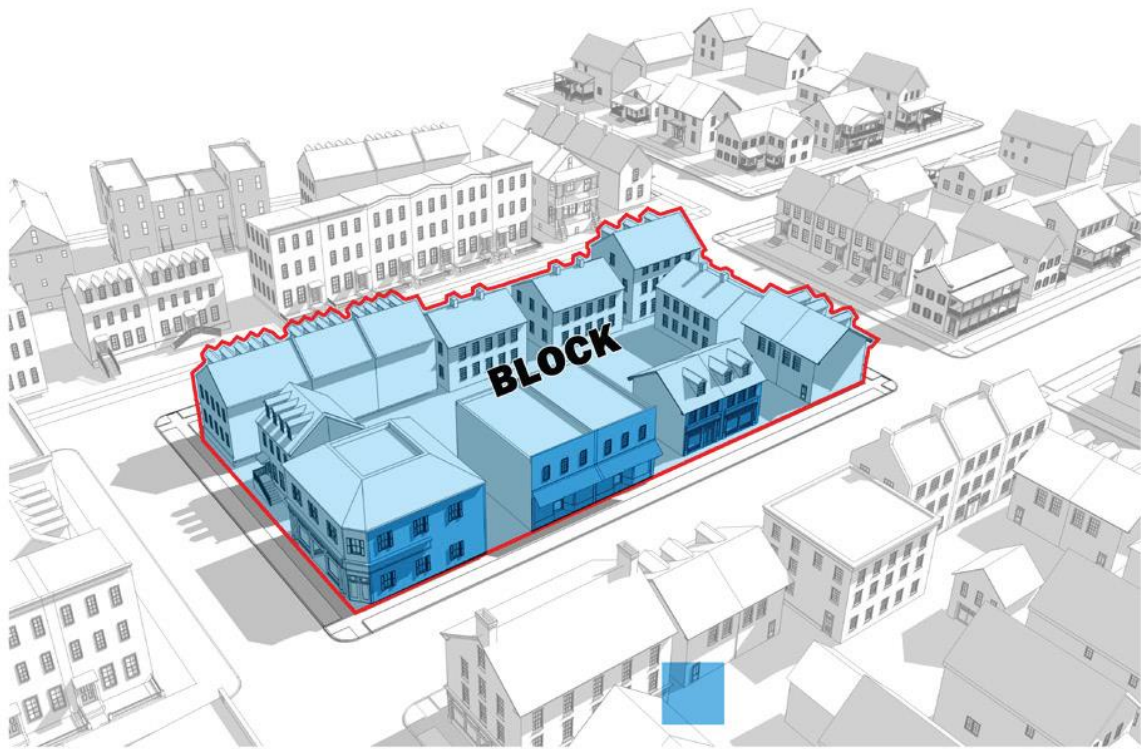
Bicycle Trail (BT): a bicycle way running independently of a vehicular Thoroughfare. See Table 5.2.4.B (Bikeway Types).

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



325

326 **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.

359

360 **Breakaway Wall:** as defined in Section 6.12.2.

361

362 **Brewery:** an establishment that is primarily used for the manufacture of beer. Such establishment may
363 sell beer for on-site consumption or for off- site distribution in accordance with applicable state and local
364 regulations.

365

366 **Brewpub:** a Use or establishment that is primarily engaged in the sale and service of food for on- premises
367 consumption and that also brews beer for on-site consumption in accordance with applicable state and
368 local regulations.

369

370 **Buffer:** a specified land area, located parallel to and within the outer perimeter of a Lot, Building Site, or
371 parcel of land and extending to the Lot, Building Site, or parcel boundary line, together with the planting
372 and landscaping required on the land. A Buffer may also contain, or be required to contain, a barrier such
373 as a fence or wall, or combination thereof, where additional Screening is necessary to achieve the desired
374 level of buffering between various Uses. The term "Buffer" is not synonymous with the term "Setback
375 Area or Yard" or the term "Stormwater Management Area."

376

377 **Building:** any Structure, other than a Parking Structure, having a roof supported by columns or by Walls
378 and intended for the shelter, housing, enclosure, or storage of Persons or property.

379

380 **Building Element:** any component or part of a Building.

381

382 **Building Official:** the City Chief Building Official or designee.

383

384 **Building Site:** a parcel of land that has not been subdivided as a separate Lot, but which is designated by
385 an applicant as a Building Site to be separately built on in a Development Plan or Master PUD Development
386 Plan, site plan, permit application, or plat, and which accommodates, or is available to accommodate, a
387 Principal Building. See Illustration 9.3.L-4 (Lot / Building Site). See also "Lot", "Lot or Building Site of
388 Record", and "Zoning Lot or Building Site".

389

390 **Building Systems Business:** establishment that installs, services, maintains, and/or repairs Building
391 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.

449

450 **Character District:** one of several areas on a Zoning Map to which certain Character District Development,
 451 Lot or Building Site, Building, Development Parcel standards are applied. See Tables 4.3.1-A - 4.3.1.G
 452 (District Standards Character Districts).

453

454 **Child Care Facility:** premises at which care, supervision, or guidance is provided for a minor child who is
 455 not related by blood, marriage, or adoption to the owner or operator of the facility, whether or not the
 456 facility is operated for profit and whether or not the facility charges for services offered by it.
 457 Notwithstanding the foregoing, Childcare Facility does not include:

458

- 459 (1) An educational facility, whether private or public, which operates solely for
- 460 educational purposes in Grades K or above;
- 461 (2) Kindergarten programs for five-year-olds;
- 462 (3) Children's Day Camps;
- 463 (4) School vacation or school holiday day camps for children operating in distinct
- 464 sessions running less than three weeks per session;
- 465 (5) Summer resident camps for children;
- 466 (6) Bible schools normally conducted during vacation periods;
- 467 (7) Facilities for disabled or mentally ill Persons;
- 468 (8) Facilities owned and operated by a local church congregation or an established
- 469 religious denomination or a religious college or university which does not receive
- 470 State or federal financial assistance for childcare services.

471

472 **Children's Day Camp:** premises at which activities are offered to school-aged children in a social setting
 473 and the children return home in the evenings.

474

475 **City:** the City of Columbia, Tennessee.

476

477 **City Code:** the municipal code of the City, as the same may be amended and in effect from time to time.

478

479 **City Council:** the City Council of the City.

480

481 **Civic Uses:** (1) not-for-profit Uses dedicated to arts, charitable, philanthropic, culture, Education or
 482 Recreation, government, transit, or Parking purposes;

483
484 (2) a collective reference to the Uses listed under the heading “Civic Uses” in Table 4.3.9.1-A (Building,
485 Lot, & Building Site Principal Use), Table 4.3.9.1-B (Building, Lot, & Building Site Accessory Use), and Table
486 4.3.9.1- C (Building, Lot, & Building Site Temporary Use).

487
488 **Civic Building:** a medium- to large-sized attached or detached Principal Building type, which is operated
489 by a not-for-profit organization or governmental entity, is dedicated to Civic activities, and is designed to
490 stand apart from its surroundings due to the specialized nature of its Civic purpose. Examples include but
491 are not limited to Auditoriums, Conference / Convention / Exhibition Centers, Libraries, Places of
492 Assembly, Courthouses, centers of government, Performing Arts Venues, and Museums. Civic Buildings
493 are often the most prominently sited and architecturally significant Buildings in a community. See Table
494 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).

495
496 **Civic Space:** an outdoor area dedicated for Civic Use, which meets the applicable standards of this
497 Ordinance. See Table 5.3.3-A (Civic Space Types - Summary) and Table 5.3.3-B (Civic Space Types -Specific
498 Standards).

499
500 **Civic District:** an area on the Official Zoning Map designated for Civic Building(s) and/or Civic Space(s).

501
502 **Civil Support:** Use category collectively referring to the Uses listed as such in Table 4.3.9.A-1 (Building, Lot
503 & Building Site Principal Uses).

504
505 **Clinic:** a Medical Clinic or Dental Clinic.

506
507 **College or University:** an educational institution that offers courses of general or specialized study leading
508 to a degree.

509
510 **Commercial Uses:** the Use category, which is a collective reference to the Uses in the following Use sub-
511 Categories, as listed in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses):

512
513 Accommodations / Lodging, Day Care (non-Civic), Educational Facilities (non-Civic), Indoor Recreation,
514 (Commercial), Group Assembly, Outdoor Recreation (Commercial), Commercial Parking (Commercial),
515 Restaurant, Retail / Personal Service / Repair / Art /Artisan, Self-Service Storage, Boat-Related Uses, Motor
516 Vehicle-Related Uses, Manufactured Home Sales, and Wholesale Sales.

- 517
- 518 **Commercial Building:** a small- to medium-sized attached or detached non-Residential Building Type,
 519 typically designed to facilitate pedestrian-oriented Retail/ Personal Service / Repair / Art / Artisan Uses
 520 and Office Uses. See Table 4.3.8.A (Principal Building Types Summary) and Table 4.3.8.B (Principal Building
 521 Types - Specific Standards).
- 522
- 523 **Commercial Indoor Athletic Training Facility:** Business establishment providing indoor facilities designed
 524 and used for active participatory athletic activities or training, including but not limited to personal
 525 strength and fitness training, gymnasiums, skating rinks, swimming pools, and tennis courts. Specifically
 526 excluded are Health Clubs, Day Spas, and Sports Venues.
- 527
- 528 **Commercial Parking:** a Parking Lot or Parking Structure operated as a for-profit endeavor.
- 529
- 530 ~~**Commercial Street:** a Thoroughfare or Internal Drive designed for moderate to high vehicular capacity~~
 531 ~~and slow speed, traversing an Urbanized area, described as such in Table 4.3.8.A (Thoroughfare Types~~
 532 ~~Summary) and Table 4.3.8.B (Thoroughfare Assemblies and Standards). The Public Frontage has raised~~
 533 ~~Curbs drained by inlets and very wide Sidewalks along both sides, separated from the vehicular lanes by~~
 534 ~~separate Tree wells with grates and parking on both sides. The landscaping consists of a single Tree species~~
 535 ~~aligned with regular spacing where possible, which clears the storefront entrances.~~
- 536
- 537 **Common Destination:** an area of focused community activity, usually defining the approximate center of
 538 a Pedestrian Shed. It may include without limitation one or more of the following: a Civic Space, a Civic
 539 Building, a Commercial center, or a transit station, and may act as the social center of a neighborhood.
- 540
- 541 **Common Open Space:** a parcel or parcels of land and/or an area of water within a Development site
 542 designated, designed, and intended for use or enjoyment of the occupants of the Development site.
 543 Common Open Space may contain such complementary Structures and Improvements as are necessary
 544 and appropriate for the benefit and enjoyment of the occupants of such Development site. ~~Common Open~~
 545 ~~Space must meet the applicable Civic Space standards of this Ordinance.~~
- 546
- 547 **Common Yard:** a planted Frontage wherein the Facade is set back substantially from the Frontage Line,
 548 and the Front Yard so created remains unfenced and is visually continuous with Abutting yards, supporting
 549 a common landscape. See Table 4.3.7.A (Private Frontage Types).
- 550

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.

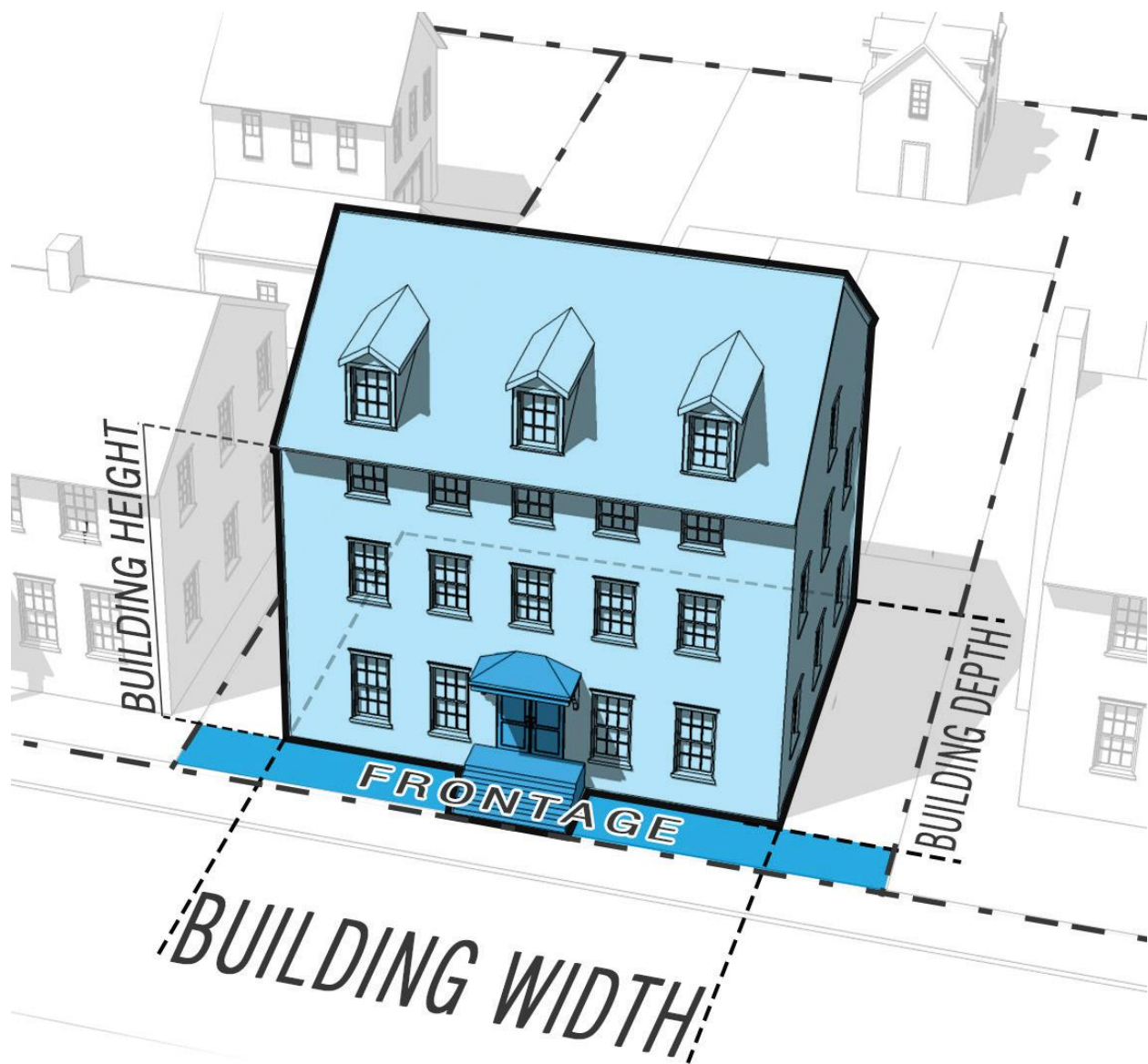
Conditional Use Permit: a permit issued pursuant to Section 8.5.16.C.

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

604



605

606

607

608 **Conference / Convention / Exhibition Center:** premises that accommodate conferences, exhibitions,
609 meetings, seminars, training sessions, and other similar gatherings.

610

611 **Construction:** the act of adding an Addition to an existing Structure or the erection of a new Structure.

612

Construction Business: an establishment engaged in any Business involving activities generally referred to general contracting, construction trades, building, or Development.

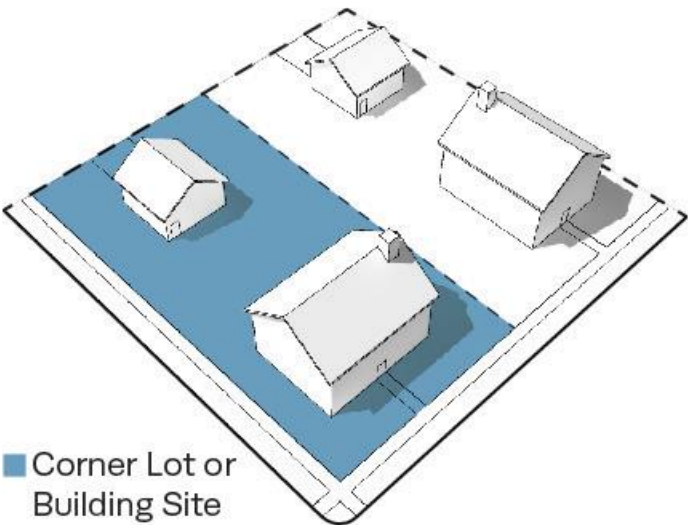
Continuum of Care Facility: a facility providing one or any combination of assisted living, nursing home, or skilled nursing for the elderly or other individuals incapacitated in some manner for medical reasons, as determined and licensed and/or certified by the Tennessee Department of Health, Board 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.

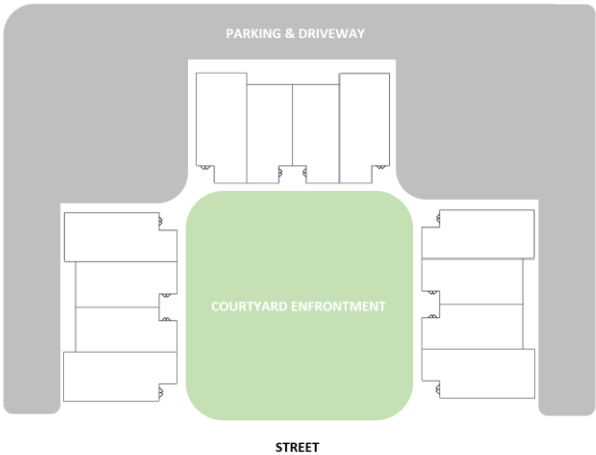
Cosmetic Reconditioning: incidental repair and refinishing of a vehicle, limited to plastic and trim parts, including bumpers, moldings, mirrors, headlight lenses, and the restoration of alloy wheels. Vehicle side panels may also be refinished when a bumper scrape carries onto a fender. Cosmetic Reconditioning 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.

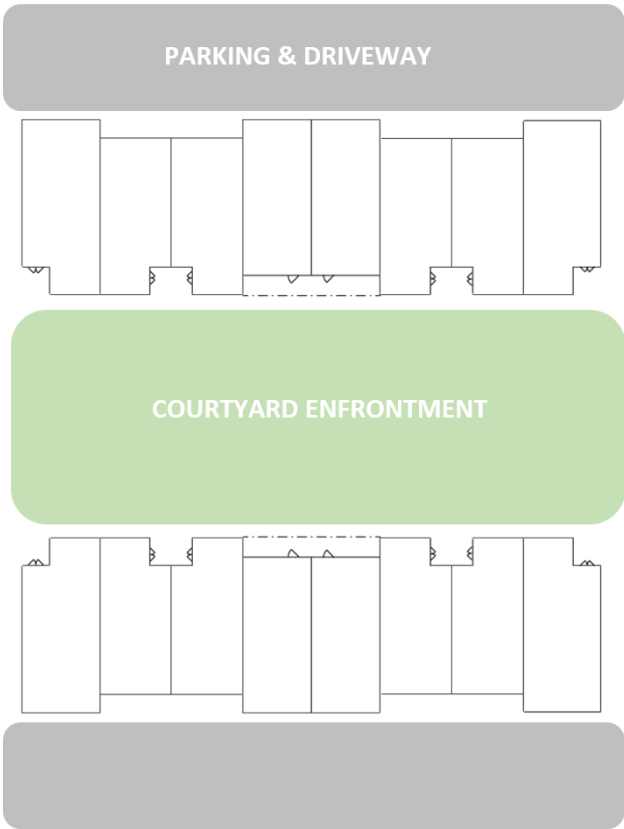
Counseling Service: an establishment providing counseling, guidance, or similar services to persons requiring rehabilitative or vocational assistance. This term includes job training and placement services.

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.

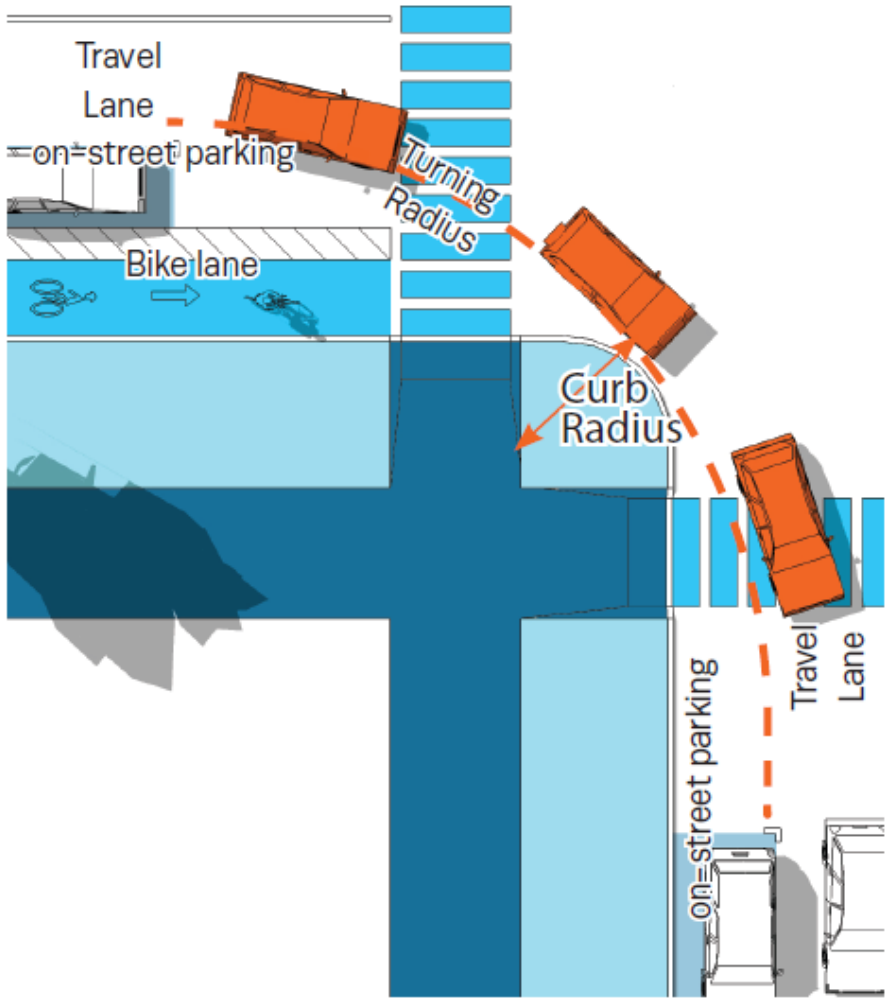
Critical Root Zone: with respect to a tree, a circular area measured outward from the tree trunk, representing the essential area of the roots that must be maintained for the tree’s survival. The Critical Root Zone is measured one foot of radial distance for every inch of tree at diameter at breast height, 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).

ILLUSTRATION 9.3.C-3 CURB RADIUS



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.

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.

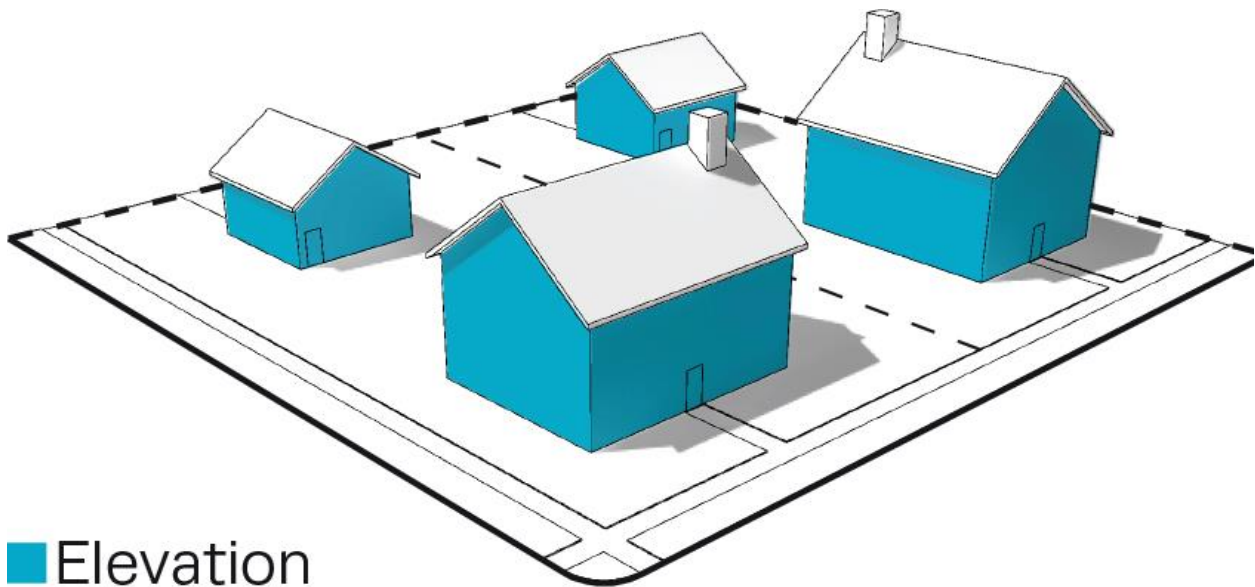
Effective Turning Radius: the measurement of the inside Turning Radius, taking parked cars into account.

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



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.

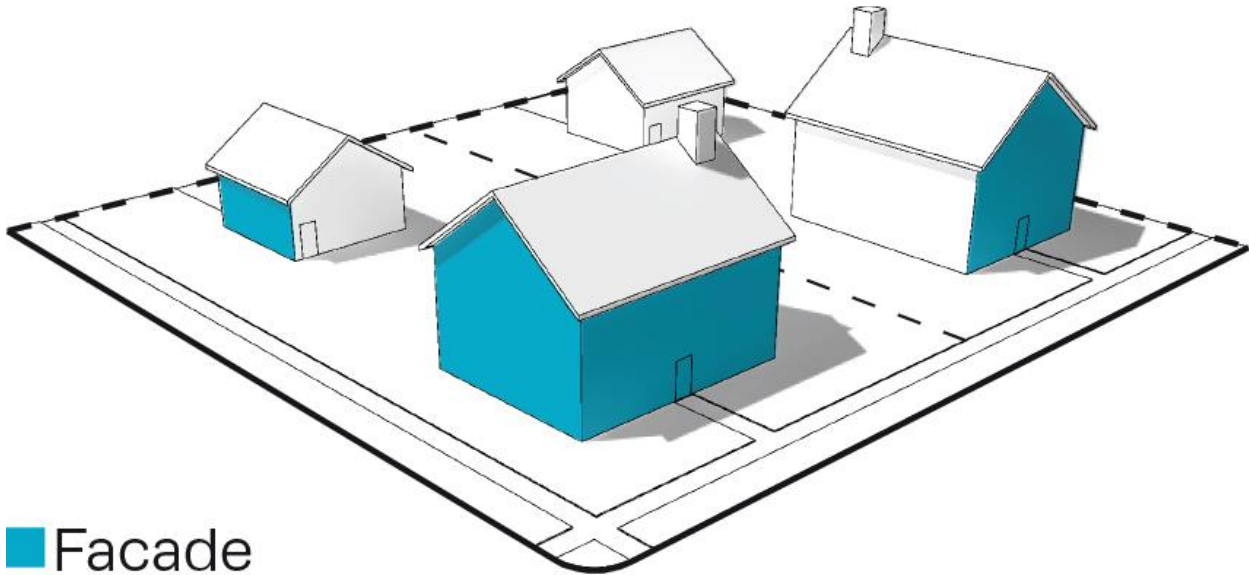
Exterior Architectural Appearance: the architectural character and general composition of the exterior of a Structure, including but not limited to the kind, color, and texture of the building materials and the type, design, and character of all windows, doors, light fixtures, Signs, and appurtenant 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 refractory 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



■ Facade

900

901 **Family:** (1) one or two Persons and their children by birth, adoption, foster care, or guardianship or (2)
 902 any number of related or unrelated Persons living together in a single, more or less permanent and stable
 903 rather than Transient living arrangement as a not-for-profit housekeeping unit, which is the functional
 904 and factual equivalent of a traditional family, including without limitation a group headed by a
 905 householder caring for a reasonable number of children as one would be likely to find in a traditional
 906 family; provided that the criteria “stable rather than Transient living arrangement” shall not be applied in
 907 cases where handicapped persons are affected.

908

909 **Family Day Care:** a facility which provides day care and supervision services for up to 18 hours per day for
 910 no more than 12 recipients at any one time, without overnight accommodations, by a provider of such
 911 services who is not related to such recipients, which provider has received and maintains in full force and
 912 effect all necessary State approvals and licenses. Those receiving care are not all related to each other by
 913 blood or marriage and are not legal wards or foster children of the attendants.

914

915 **Farm and Construction Equipment:** equipment used in the conduct of farming or construction activities.

916

917 **Farmer’s Market:** an open air area, without or without a Structure, used for the Retail sale of fresh fruits,
 918 vegetables, nuts, grains, eggs, flowers, herbs, or plants. A Roadside Stand is not a Farmer’s Market.

919

920 **FCC:** Federal Communication Commission.

921

922 **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.

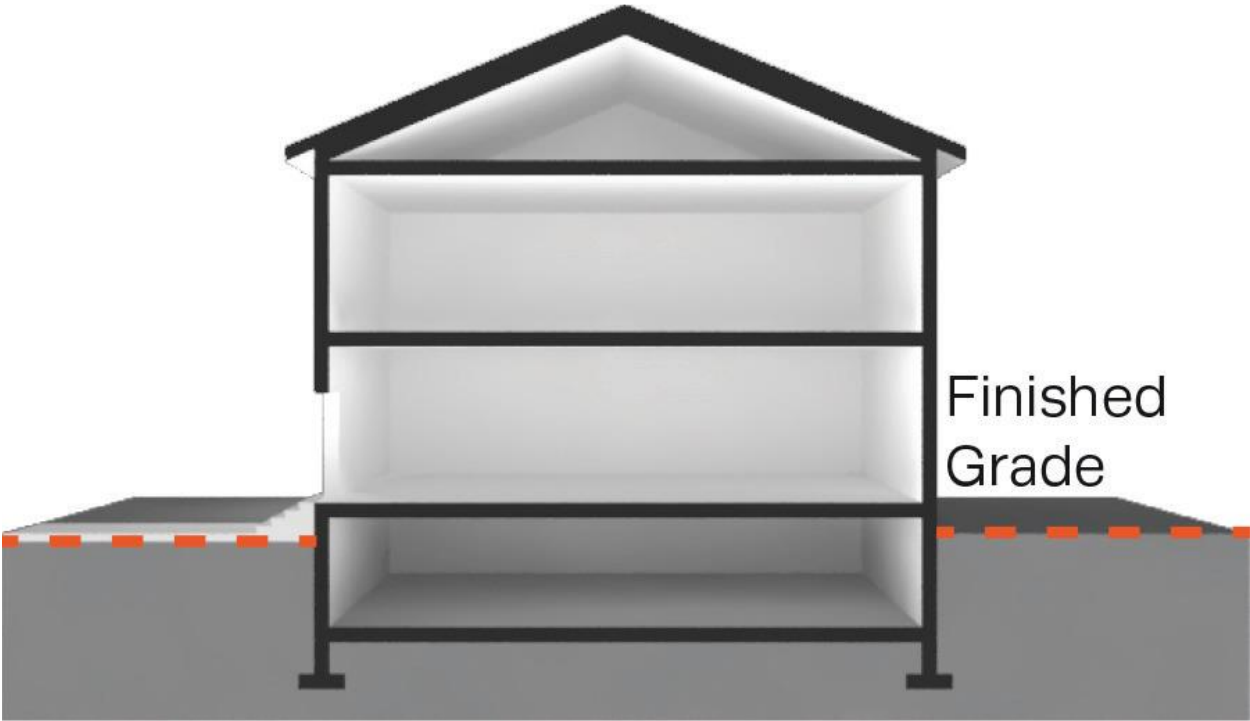
Final Plat: as defined in City Subdivision Regulation Section 2.3.

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:

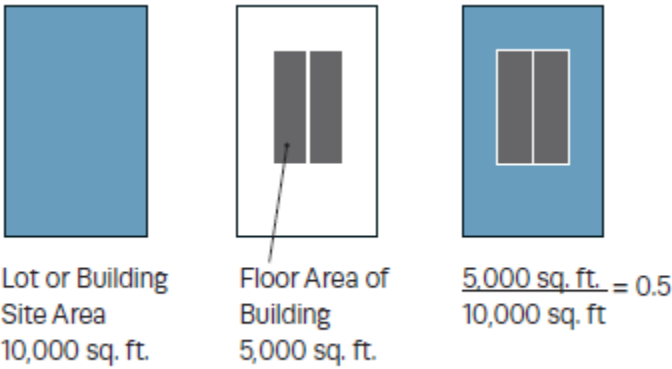
- (1) Areas used for off – street Parking spaces or loading berths and Driveways and maneuvering relating thereto where required by this Ordinance
- (2) In the case of Non-Residential facilities: arcades, porticoes, and similar open areas which are accessible to the general public, and which are not 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:

$$\frac{\text{Aggregate Floor Area}}{\text{Lot or Building Site Area}} = \text{Floor Area Ratio}$$

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.

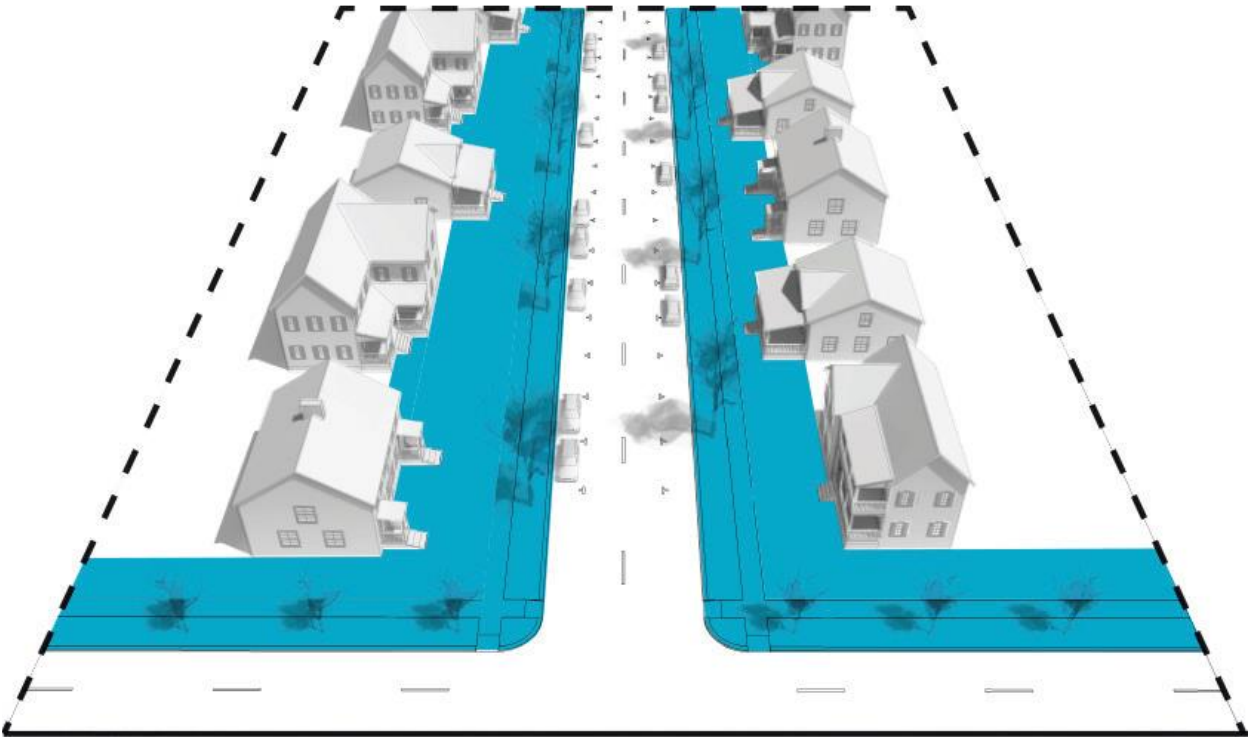
Food Truck Court: A parcel of land where two or more Mobile Vendors congregate to offer food and beverage for sale to the public as the principal use of the site, where permitted by Table 4.3.9.A-1. This definition shall not be interpreted to include a congregation of mobile food vendors as an accessory 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



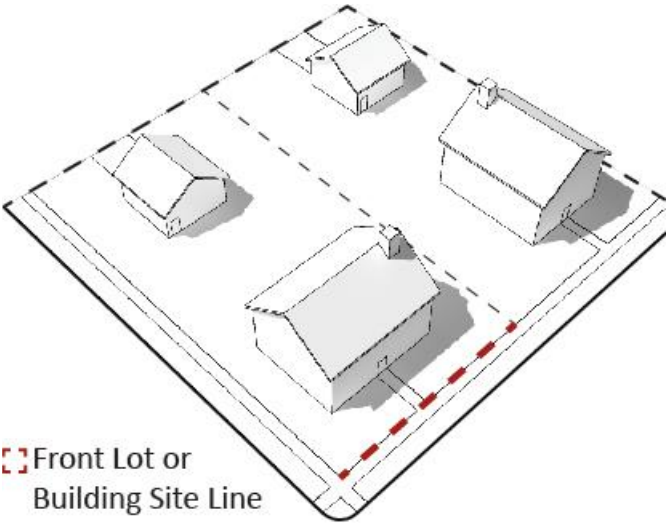
 Frontage

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.

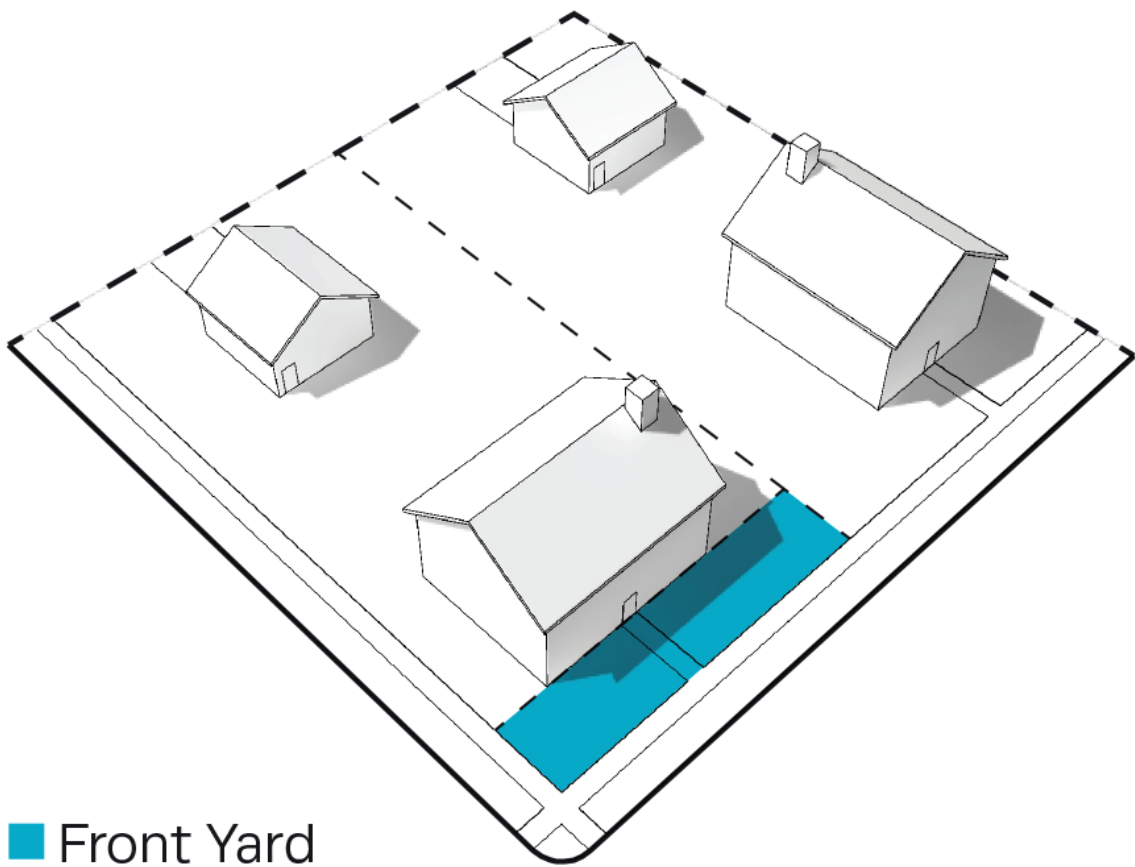
Front Lot or Building Site Line: the boundary at the front of a Lot or Building Site along the Thoroughfare right-of- way or Internal Drive. See Illustration 9.3.F-5 (Frontages and Lot or Building Site Lines).

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



■ Front 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

- 1218
- 1219 (4) individually listed on a local inventory of historic places and determined as eligible by communities
- 1220 with historic preservation programs which have been certified either:
- 1221
- 1222 (a) by an approved state program as determined by the Secretary of the Interior;
- 1223 or
- 1224
- 1225 (b) directly by the Secretary of the Interior.
- 1226
- 1227 **Home Occupation:** any gainful occupation conducted entirely within a Dwelling solely by the owners- or
- 1228 tenant- residents thereof as an Accessory Use, which does not change the character of the Structure as a
- 1229 Residence; provided that (1) said activity shall not occupy more than 50% of the Floor Area of the Dwelling,
- 1230 (2) there shall be no external evidence other than an Identification Sign, (3) no goods shall be kept, and
- 1231 (4) no mechanical or electrical equipment shall be used except customary household equipment; and
- 1232 provided further that the following are not allowed as Home Occupations: Clinic, Hospital, Home
- 1233 Professional Office, barbershop, beauty shop, Restaurant,
- 1234 Kennel, antique dealer, Retail sales on the premises, or loading of ammunition.
- 1235
- 1236 **Horticulture and Landscaping Services:** landscaping, tree, plant, lawn, and/or other landscape material
- 1237 installation, care, maintenance, and removal, and other similar services, together with associated
- 1238 equipment and machinery directed toward the care of trees, plants, or lawns.
- 1239
- 1240 **Hospice:** the provision of palliative care and emotional support to the terminally ill so that quality of life
- 1241 is maintained and family members may be active participants in care.
- 1242
- 1243 **Hospital:** premises used for the diagnosis, medical treatment, or similar care of human ailments including
- 1244 without limitation: the term "Hospital" shall be deemed to include (1) psychiatric and substance abuse
- 1245 facilities, ambulatory care, outpatient services, diagnostic and treatment centers, Clinics, Rehabilitation
- 1246 Facilities, Medical Laboratories, Hospices, teaching facilities, and meeting areas associated with and on
- 1247 the same premises as the Hospital, and (2) Accessory Uses such as dining and housing for patients' Families
- 1248 and guests, staff members, nurses, interns, resident physicians and their immediate families, and
- 1249 maintenance, service and parking facilities. The term "Hospital" shall not be deemed to include (3) Offices
- 1250 of doctors, dentists, chiropractors, or nurse practitioners, sanitariums, Nursing Homes, Long Term
- 1251 premises used for the diagnosis, medical treatment, or similar care of human ailments including without
- 1252 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.

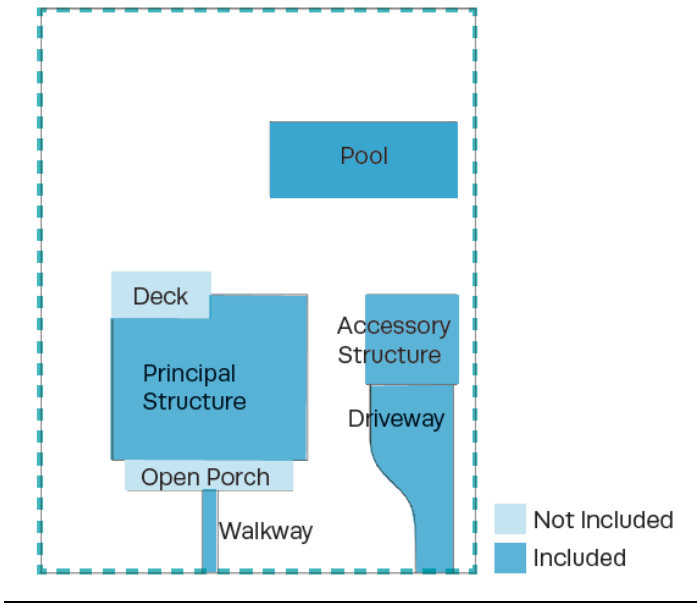
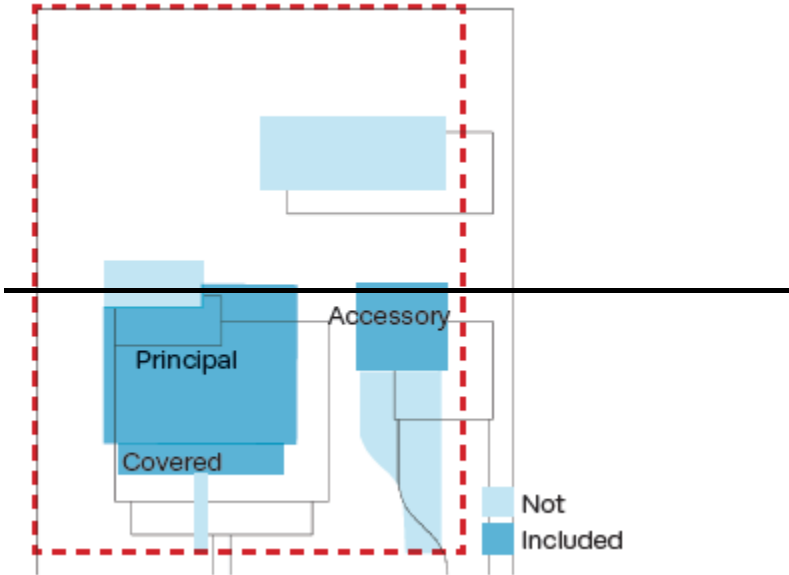
House Trailer: any Trailer designed to be used for living purposes with its wheels, roller or skids in place.

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;

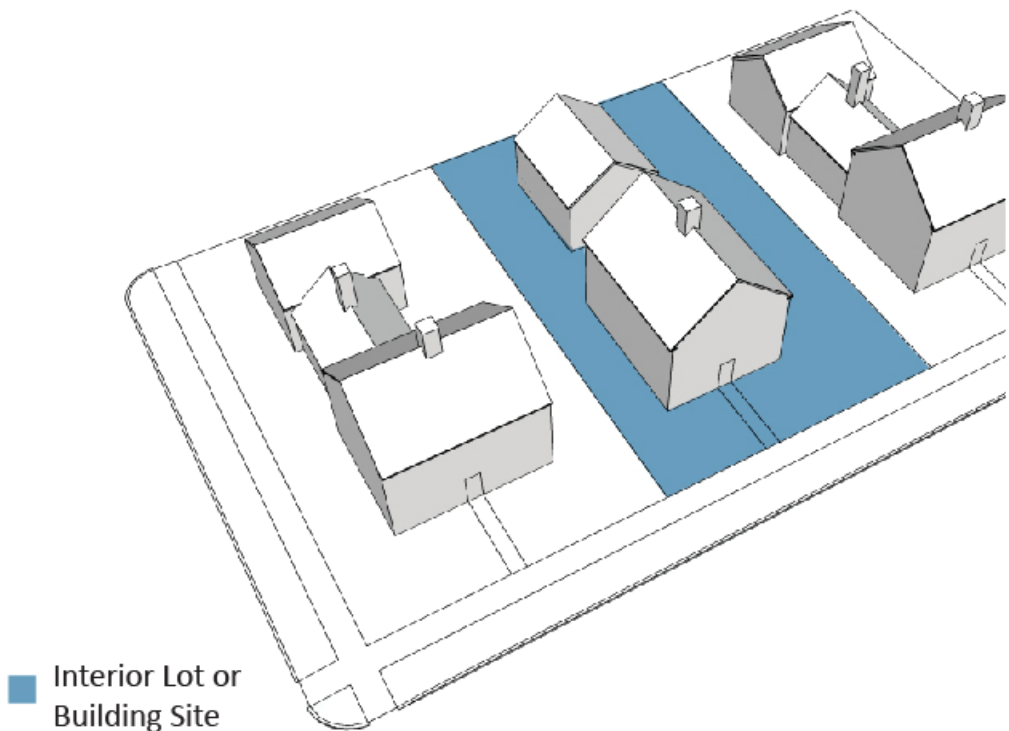
(2) Industrial Uses is the Use category, which is a collective reference to Uses in the following Use sub-Categories, as listed in Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses) Table 4.3.9.A-2 (Building, Lot & Building Site Accessory Uses), and Table 4.3.9.A-3 (Temporary Uses): Heavy 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.

1394

1395 **Layer:** a range of depth of a Lot or Building Site within which certain elements are permitted. There are
1396 three Layers within each Lot or Building Site, as follows:

1397

1398 (1) First Layer: that portion of a Lot or Building Site bounded by

1399

1400 (a) the Side Lot or Building Site Lines,

1401

1402 (b) the Frontage Line, and

1403

1404 (c) the Facade of the Principal Structure, or, on a Secondary Frontage, a Building
1405 Elevation. Front Setback line or the line of the Setback Area or Street Yard
1406 furthest from the Frontage Line.

1407

1408 (2) Second Layer: that portion of a Lot or Building Site directly behind the First Layer and
1409 extending twenty (20) feet into the lot parallel to the Principal Frontage.~~bounded by~~

1410

1411 ~~(a) the Side Lot or Building Site Lines,~~

1412

1413 ~~(b) the Front Setback line, and~~

1414

1415 ~~(c) a line which is 20 feet from and parallel to the Front Setback line or the line of the~~
1416 ~~Setback Area or Street Yard furthest from the Frontage Line.~~

1417

1418 ~~(3) Third Layer: that portion of a Lot or Building Site bounded by~~

1419 (3) Third Layer: that portion of a Lot or Building Site that is not within the First and Second
1420 Layer and is least visible from the Thoroughfare.

1421 ~~(a) the Side Lot or Building Site Lines,~~

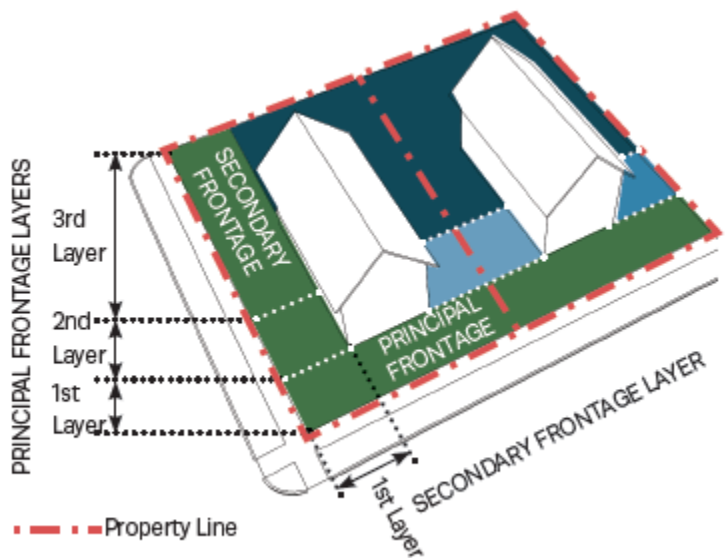
1422

1423 ~~(b) the Rear Lot or Building Site Line, and~~

1424

~~(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



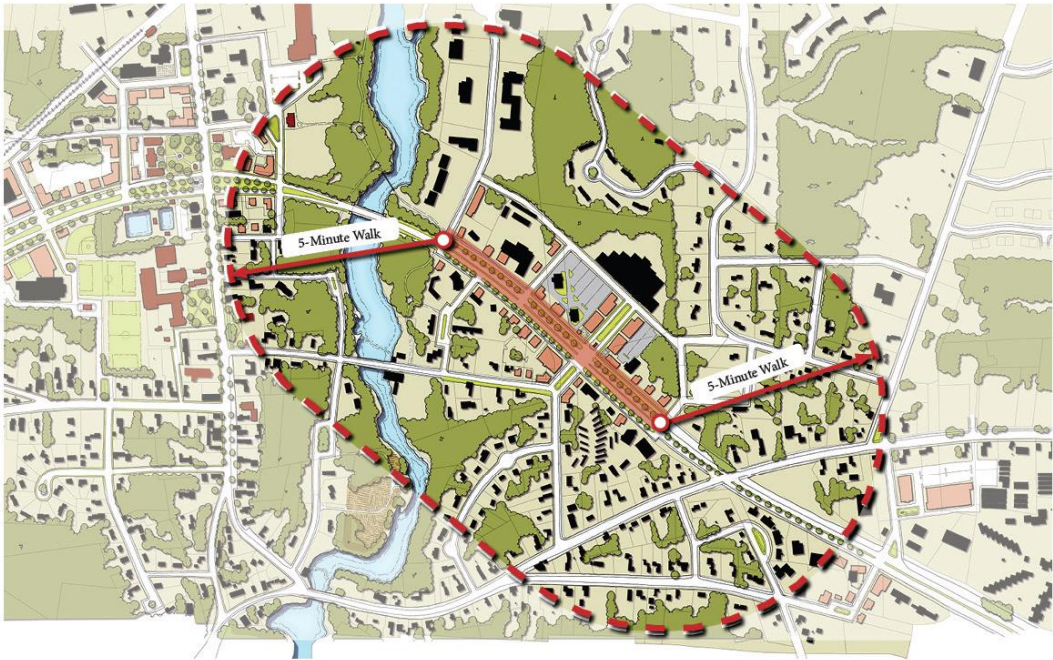
Library: a Building or part thereof containing collections of books, periodicals, and/or other media for Persons to read, borrow, or refer to.

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;

- 1446
- 1447 (3) does not pose any danger or hazard of fire or explosion or other physical hazard;
- 1448
- 1449 (4) does not generate, cause, disseminate, or discharge any pollution, material, dust, smoke, gas,
- 1450 fumes, odor, noise, heat, light, glare, or vibration beyond the Building Site on which the Building
- 1451 is situated;
- 1452
- 1453 (5) does not involve any Outside Storage;
- 1454
- 1455 (6) will not result in any unusual traffic hazard or congestion;
- 1456
- 1457 (7) does not require any water, air, or other environmental or pollution license or permit is required;
- 1458 and
- 1459
- 1460 (8) does not involve storage or use of highly flammable, toxic matter or explosive materials, or of
- 1461 Hazardous Materials;
- 1462 Not included in the Light Industrial Uses sub-category are:
- 1463 •(1)Heavy Industrial Uses;
- 1464 •(2)Manufacture and production of goods from composting organic material (see Waste-Related
- 1465 Service);
- 1466 •(3)Outdoor storage yard (see Warehousing and Freight Movement);
- 1467 •(4)Sale or rental of machinery, equipment, heavy trucks, building materials, special trade tools,
- 1468 welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and
- 1469 store fixtures (see Wholesale Sales); or
- 1470 •(5)Small-scale catering establishments (see Restaurants).
- 1471 See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Uses).
- 1472
- 1473 **Lightwell:** a Private Frontage type that is a below-grade entrance or recess designed to allow light into
- 1474 basements. See Table 4.3.7.A (Private Frontage Types).
- 1475 **Linear Pedestrian Shed:** a Pedestrian Shed that is elongated along an important Corridor. A Linear
- 1476 Pedestrian Shed extends approximately 1/4 mile from each side of the Corridor. The resulting area is
- 1477 oblong. See Illustration 9.3.L-1 (Linear Pedestrian Shed).
- 1478 **ILLUSTRATION 9.3.L-1 LINEAR PEDESTRIAN SHED**

1479



1480

1481 **Liner Building:** a Building that is a least 20 feet deep measured from the Façade, which masks a Parking
1482 Area, Parking Lot, or a Parking Structure from the Frontage. See Illustration 9.3.L-2 (Liner Building).

1483 ILLUSTRATION 9.3.L-2 LINER BUILDING

1484

1485 **Live / Work Building:** a small- to medium-sized attached or detached Principal Building type, which
1486 includes a flexible space for Commercial Use and an internally connected Residential Dwelling Unit above
1487 and/or behind the flexible space. See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal
1488 Building Types - Specific Standards).

1489

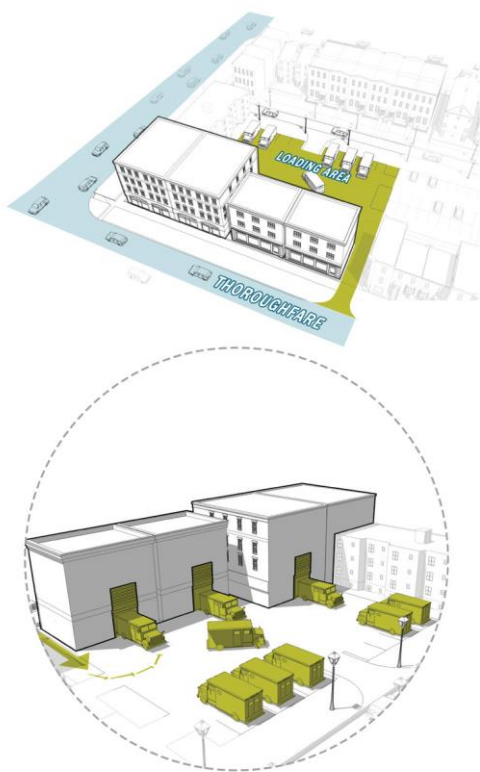
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1491

1492 **Living Room:** a room designed for general living purposes in a Dwelling Unit. Every Dwelling Unit shall be
1493 deemed to have a Living Room.

1494 **Loading Area:** an area on a Lot or rear Building Site with a Building or along the Thoroughfare or Internal
1495 Drive Abutting such Lot or rear Building Site, used for temporary parking of Commercial vehicles while
1496 loading or unloading goods. See Illustration 9.3.L-3 (Loading Area).

1497 ILLUSTRATION 9.3.L-3 LOADING AREA



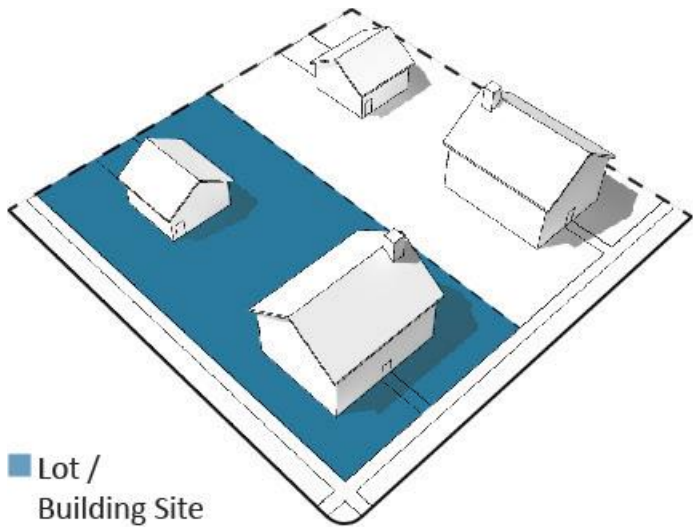
Loading Space: a space within a Loading Area that meets the design and dimensional requirements of Section 4.3.14.

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.

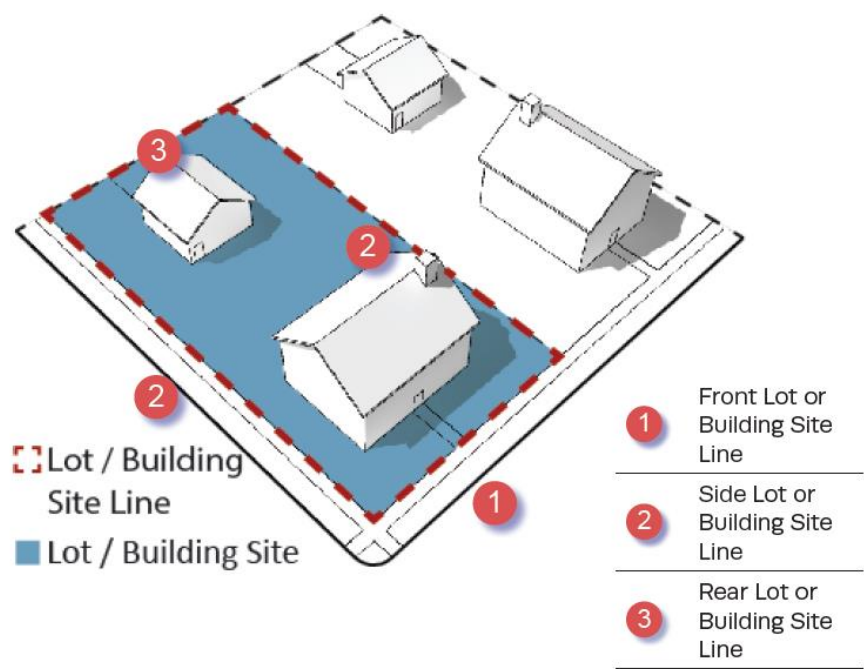
Lot: a parcel, plot, tract, or piece of land identified on and established by plat, subdivision, or as otherwise permitted by law, and recorded in the official records of the Maury County Register of Deeds, to be separately owned, used, Developed, or built on. See Illustration 9.3.L-4 (Lot / Building 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



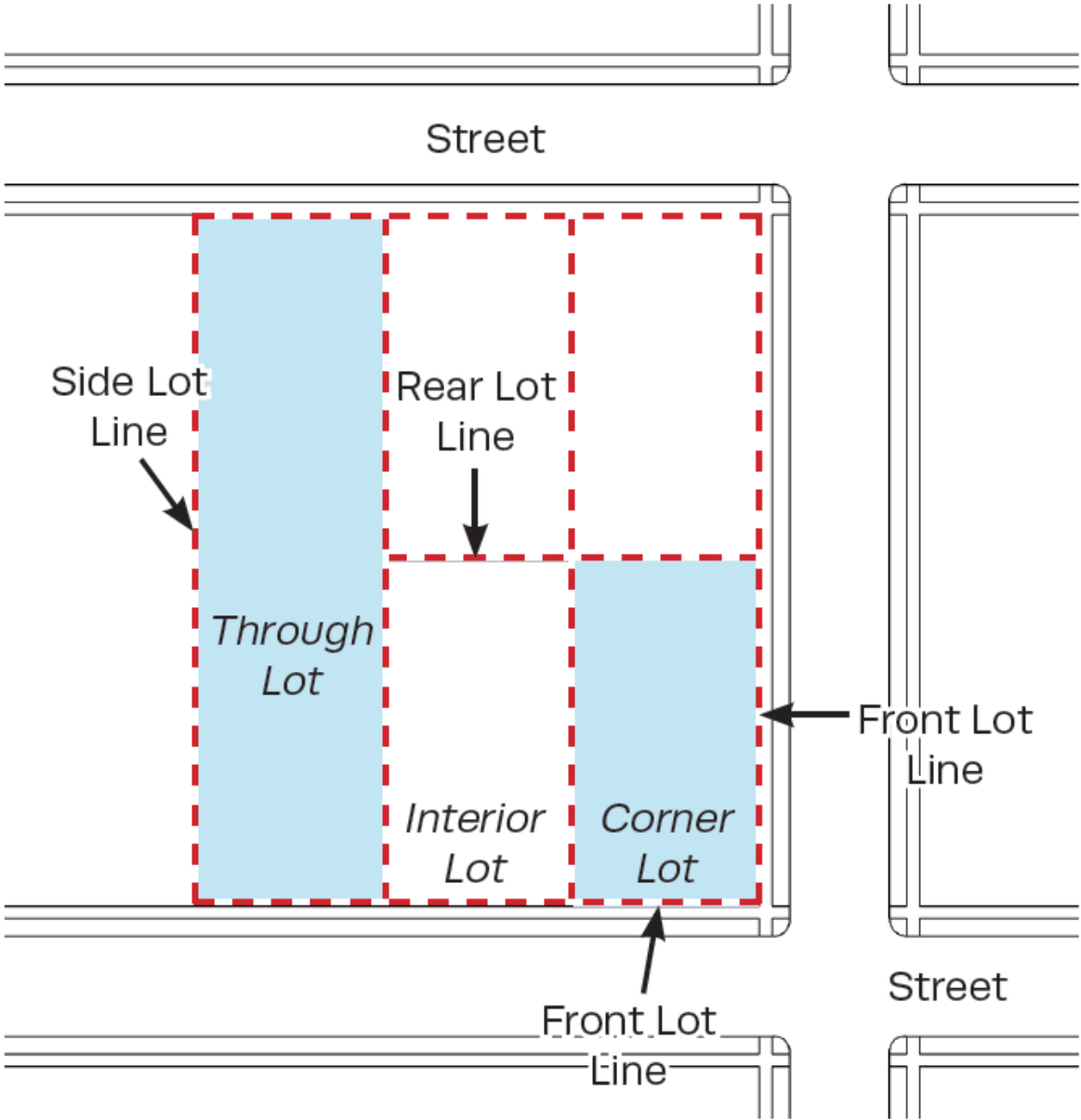
Lot or Building Site Width: the length of the Principal Frontage Line of a Lot or Building Site.

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.

1587 **Marquee Sign:** the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table
1588 7.1.2.B-2 (Sign Types - Specific Standards).

1589

1590 **Massage Studio:** an establishment at which manual manipulation of muscle, connective tissue, tendons,
1591 and/or ligaments is provided to enhance a Person's health and well-being.

1592

1593 **Massing:** the overall shape or arrangement of the Bulk or volume of a Building.

1594

1595 **Medical Office / Medical Clinic / Outpatient Clinic / Dental Office:** an Office or other premises for the
1596 private practice of health care or dental professionals licensed by the State, wherein a majority of patient
1597 encounters involve examination, diagnose is, treatment, or surgical procedures on an outpatient basis not
1598 extending beyond a 24 hour period.

1599

1600 **Medical Laboratory:** a facility where testing or observation of clinical specimens from which information
1601 about the health of a patient can be obtained in order to provide diagnosis, treatment , and/or prevention
1602 of disease.

1603

1604 **Meeting Hall:** a Building that provides accommodations as a Place of Assembly.

1605

1606 **Middle:** As used in the Façade standards of this Ordinance, all of the Façade which is visually defined by
1607 the Base and Cap of the building.

1608

1609 **Middle School:** premises at which Education is provided for children from Grade 5 through Grade 8.

1610

1611 **Mid-Rise Building:** an attached or detached Principal Building Type of 4 Stories, which may provide a
1612 vertical and/or horizontal mix of Uses, typically designed to facilitate pedestrian-oriented Retail / Personal
1613 Service/ Repair / Art / Artisan, Accommodation / Lodging, or Office Uses on the ground floor, with upper
1614 floors typically designed for Residential or Office Uses. See Table 4.3.8.A (Principal Building Types) and
1615 Table 4.3.8.B (Principal Building Types - Specific Standards).

1616

1617 **Mixed Use:** multiple Uses within the same Building or on the same Lot or Building Site through
1618 superimposition or Adjacency, or in multiple Buildings or on multiple Lots or Building Sites by Adjacency
1619 or proximity.

- 1620
- 1621 **Mixed-Use Building:** a typically attached Principal Building Type, which provides a vertical and/or
 1622 horizontal mix of Uses typically designed to facilitate pedestrian-oriented Retail / Personal Service / Repair
 1623 / Art / Artisan, Accommodations / Lodging, or Office Uses on the ground floor, with upper floors typically
 1624 designed for Residential or Office Uses. See Table 4.3.8.A (Principal Building Types) and Table 4.3.8.B
 1625 (Principal Building Types - Specific Standards).
- 1626
- 1627 **Mobile Vending:** any temporary activity which includes preparation, assembly, or display of items with
 1628 the intent to sell such items to the general public (excluding produce stands).
- 1629
- 1630 **Mobile Vending Apparatus:** Any vehicle, trailer, cart, table, tent or other equipment utilized for Mobile
 1631 Vending.
- 1632
- 1633 **Monument Sign:** the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table
 1634 7.1.2.B-1 (Sign Types - Specific Standards).
- 1635
- 1636 **Motel:** an establishment where short-term Accommodation / Lodging in guest rooms is offered for
 1637 compensation and one or more rooms are accessed by exterior doors opening directly to exterior Parking
 1638 accommodations, passageways, or the outdoors. Neither a Hotel, Extended Stay Hotel, or unit therein,
 1639 nor a Short- Term Rental Unit is a Motel.
- 1640
- 1641 **Motor Vehicle:** every vehicle that is self-propelled by a motor, which can be licensed and registered to be
 1642 driven on public streets, roads or rights-of-ways, and every vehicle that is propelled by electric power
 1643 obtained from overhead trolley wires, but not operated upon rails.
- 1644
- 1645 Examples are passenger vehicles, trucks, motorcycles and other consumer motor vehicles, and motorized
 1646 Recreational Vehicles.
- 1647
- 1648 This term does not include Boats or other watercraft, non-motorized Recreational Vehicles, Manufactured
 1649 Homes, or Farm and Construction Equipment.
- 1650
- 1651 **Motor Vehicle Body Shop:** premises or a portion of premises used for the adjustment, painting,
 1652 replacement of parts, or body repair of Motor Vehicles.

1653

1654 Motor Vehicle Maintenance, Repair, Fuel Sales, Service, or Cleaning: a Structure, premises, or
 1655 establishment in or on which Motor Vehicles are maintained, repaired, serviced, re-fueled, and/or
 1656 cleaned, including without limitation, incidental storage for fewer than sixty (60) days of Motor Vehicles
 1657 that are being maintained, repaired, serviced, and/or cleaned.

1658

1659 Examples are car wash, full vehicle service including alignment shop, auto upholstery shop, towing service,
 1660 limited vehicle service including auto detailing, auto repair, battery sales and installation, fuel sales, quick
 1661 lubrication facilities, and tire services.

1662

1663 This term does not include Parking Lots, Parking Structures, Motor Vehicle Storage, Motor Vehicle Body
 1664 Shop, Motor Vehicle Parts Sales, or Convenience Store with Gasoline Sales (see Retail Sales and Service).

1665

1666 **Motor Vehicle Parts Sales:** a Structure, premises, or establishment in, from, or on which Motor Vehicle
 1667 parts other than tires are sold, either at Retail or Wholesale.

1668

1669 **Motor Vehicle - Related Sales and Service:** Motor Vehicle Body Shop, Motor Vehicle Maintenance, Repair,
 1670 Service, Fuel Sales, or Cleaning, Motor Vehicle Parts Sales, Motor Vehicle Sales, Rental, or Leasing, and
 1671 Motor Vehicle Storage.

1672

1673 **Motor Vehicle - Related Uses:** the term collectively referring to Motor Vehicle Body Shop, Motor Vehicle
 1674 Maintenance, Repair, Fuel Sales, Service, or Cleaning, Motor Vehicle Parts Sales, Motor Vehicle Sales,
 1675 Rental, or Leasing, and Motor Vehicle Storage. See Table 4.3.9.A-1 (Building, Lot & Building Site Principal
 1676 Uses).

1677

1678 **Motor Vehicle Sales, Rental, or Leasing:** a Structure, premises, or establishment in or on which Motor
 1679 Vehicles are sold, rented, leased, or chartered, including incidental storage, maintenance, and servicing
 1680 as an Accessory Use.

1681

1682 **Motor Vehicle Storage:** long or short term storage of operating Motor Vehicles. This term excludes
 1683 Parking Lots, Parking Structures, Impound Yards, Towing Facilities, and any dismantling, Scrap and Salvage
 1684 Yards/Service, or Junkyards.

1685

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:~~

- 1818
- 1819 ~~(1) A Front Lot or Building Site line;~~
- 1820
- 1821 ~~(2) A Front Setback Area Yard (Street Yard);~~
- 1822
- 1823 ~~(3) A Rear Setback Area or Yard; or~~
- 1824
- 1825 ~~(4) Any open area along a Rear Lot or Building Site line or along a Side Lot or Building Site line having~~
 1826 ~~a width or depth of at least thirty (30) feet, and which open area extends along the entire length~~
 1827 ~~of such Rear or Side Lot or Building Site line, is bounded by either:~~
- 1828
- 1829 ~~(a) Building walls; or~~
- 1830
- 1831 ~~(b) Building walls and one or more Lot or Building Site lines other than a Front Lot or Building~~
 1832 ~~Site line.~~
- 1833
-
- 1834
- 1835 **Parcel Services:** providing for-profit package and message routing, distribution, and delivery services.
- 1836
- 1837 **Park:** as a noun, a Civic Space type that is a natural preserve available for unstructured recreation,
 1838 described as such in Table 5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B (Civic Space - Specific
 1839 Standards); as a verb, to stop and disengage a Motor Vehicle and leave it unoccupied.
- 1840
- 1841 **Parking:** (1) an accommodation designed for the of stopping and disengagement of a Motor Vehicle and
 1842 leaving it unoccupied; or (2) the act of stopping and disengaging a Motor Vehicle and leaving it
 1843 unoccupied.
- 1844
- 1845 **Parking Area:** an off-street, ground-level open area within a Lot or Building Site for Parking vehicles as an
 1846 Accessory Use incidental to a Principal Use of a Lot or Building Site or a Principal Building on a Lot or
 1847 Building Site. Not synonymous with Parking Lot.
- 1848

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).

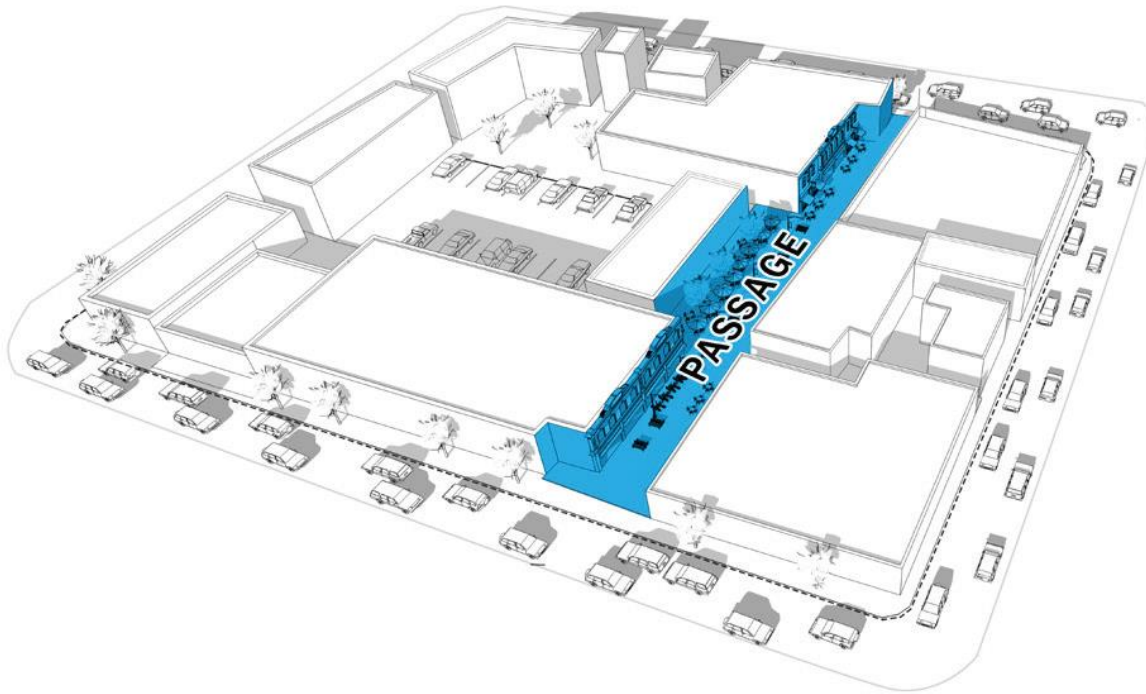
Parking Space: an area required or provided for Parking a vehicle, meeting the requirements of Section 4.3.12.

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



1869

1870

1871 **Passive Recreation:** outdoor recreational activities, such as nature observation, hiking, and canoeing or
 1872 kayaking, which require a minimum of facilities or Development and which have minimal environmental
 1873 impact on the recreational site.

1874

1875 **Path (PT):** a pedestrian way traversing an open greenspace with a minimum area of 5,000 square feet
 1876 Park, with landscape matching ~~the~~ contiguous Civic Space, ~~ideally~~ connecting directly with the urban
 1877 Sidewalk network.

1878

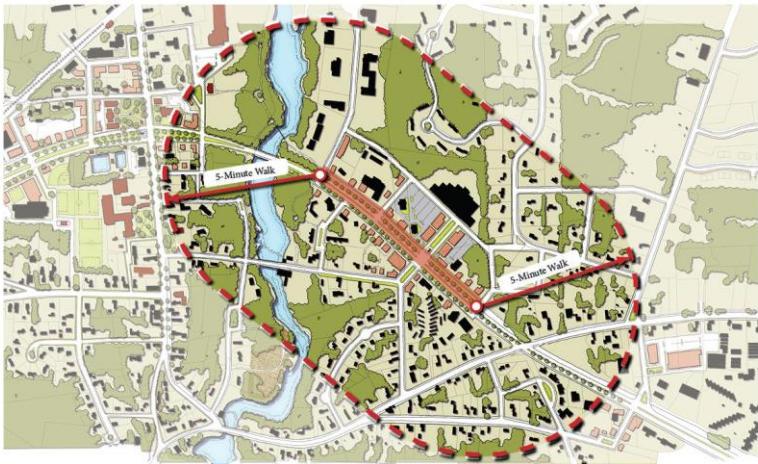
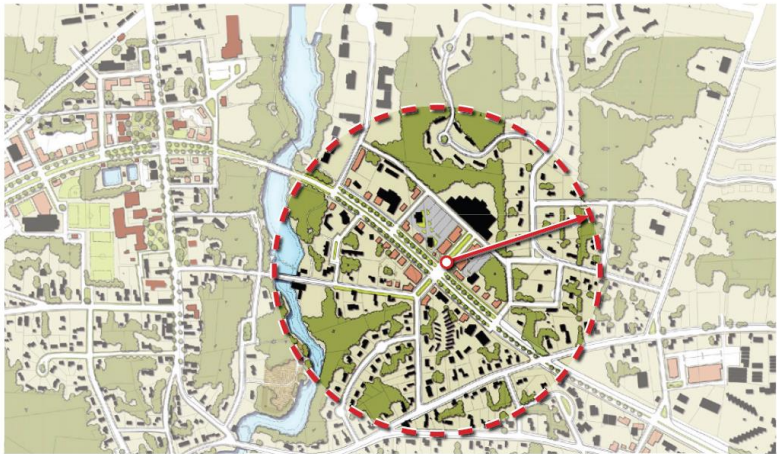
1879 **Pawnshop:** a Business that lends money based upon the security of pledged goods left in pawn, or that is
 1880 in the Business of purchasing tangible personal property to be left in pawn on the condition that it may
 1881 redeemed or repurchased by the seller for a fixed price within a fixed period of time. See also, Short-Term
 1882 Lender.

1883

1884 **Pedestrian Shed:** an area of a size approximately equal to the average distance comfortably walked by
 1885 pedestrians and approximately centered on a Common Destination. There are two types of Pedestrian
 1886 Sheds: Standard Pedestrian Sheds and Linear Pedestrian Sheds. See “Standard Pedestrian Shed” or “Linear
 1887 Pedestrian Shed”. See Illustration 9.3.P-2 (Pedestrian Sheds).

1888

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.

- 1935 **Placement:** with respect to a Building, the manner in which the Building is situated on the Lot or Building
1936 Site. See “Layers”, Illustration 9.3.L-5 (Layers); see also “Setback”, and “Yard” and Illustration 9.3.S-2
1937 (Setbacks and Yards).
- 1938
- 1939 **Plan:** a Development Plan, Master PUD Development Plan, site plan, Landscape Plan, Sign Plan, or any
1940 other plan submitted or prepared pursuant to this Ordinance.
- 1941
- 1942 **Planned Unit Development:** See Section 8.5.21.
- 1943
- 1944 **Planned Unit Development District:** one of the several Districts listed as such in Section 3.7.C. See also
1945 Section 8.5.21.
- 1946
- 1947 **Planning Commission:** the Planning Commission of the City.
- 1948
- 1949 **Planning Director:** the City Director of Planning and Development.
- 1950
- 1951 **Planter:** the element of the Public Frontage that accommodates trees along Thoroughfares and Internal
1952 Drives, whether continuous or individual.
- 1953
- 1954 **Plaque Sign:** the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-
1955 2 (Sign Types - Specific Standards).
- 1956
- 1957 **Playground:** a Civic Space type, described as such in Table 5.3.3.A (Civic Space Types - Summary) and Table
1958 5.3.3.B (Civic Space - Specific Standards).
- 1959
- 1960 **Plaza:** a Civic Space type described as such in Table 5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B
1961 (Civic Space - Specific Standards).
- 1962
- 1963 **Police Station:** premises accommodating operations of law enforcement officers and other members of
1964 staff.
- 1965

1966 **Porch:** a Private Frontage type, having a planted Frontage, the Facade is set back from the Frontage Line,
 1967 and an attached exterior covered area large enough to accommodate outdoor furniture and/or gathering,
 1968 which is permitted to Encroach into the Front Setback, Setback Area, or Street Yard. This may be used
 1969 with or without a Fence to maintain Thoroughfare spatial definition. A Stoop is not a Porch. See Table
 1970 4.3.7.A (Private Frontage Types).

1971

1972 **Porch Sign:** the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-
 1973 2 (Sign Types - Specific Standards).

1974

1975 **Portable Sign:** a Sign the principal supporting Structure of which is intended, by design and construction,
 1976 to be used by resting upon the ground for support and may be easily moved or relocated. Portable Signs
 1977 include, but are not limited to, Signs mounted on a Trailer, wheeled carrier, or other non-motorized
 1978 mobile structure, with wheels or with wheels removed.

1979

1980 **Post Office:** premises operated by or under contract for the United States Postal Service at which letters,
 1981 parcels, packages or other mail may be received, deposited, processed, sorted, and/or handled and/or
 1982 postage may be purchased.

1983

1984 **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
 1985 (Sign Types - Specific Standards)

1986

1987 **Pre-School:** a school, licensed by the State, with an accredited training program and staffed with certified
 1988 teachers, providing day time care or instruction for two (2) or more children between the ages of two (2)
 1989 and five (5) years old. Synonymous with Nursery School.

1990

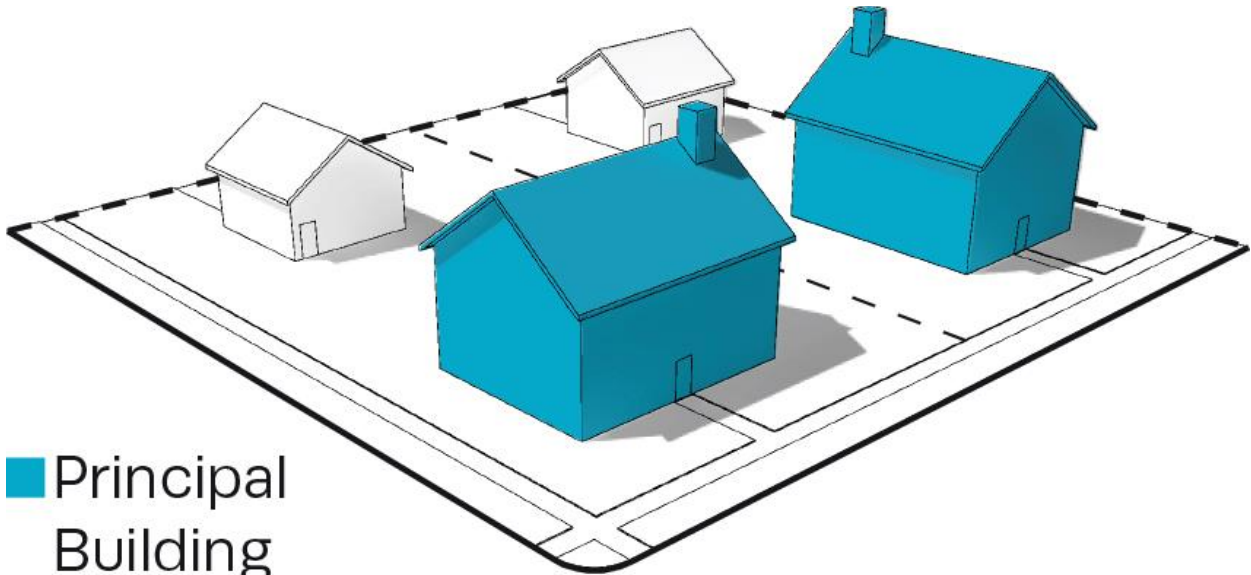
1991 **Preliminary Plat:** as defined in City Subdivision Regulation Section 2.2.

1992

1993 **Principal Building:** the main Building on a Lot or Building Site, located toward the Frontage, in which is
 1994 conducted a Principal Use of such Lot or Building Site. See Illustration 9.3.P-3 (Principal Building).

1995

1996 **ILLUSTRATION 9.3.P-3 PRINCIPAL BUILDING**

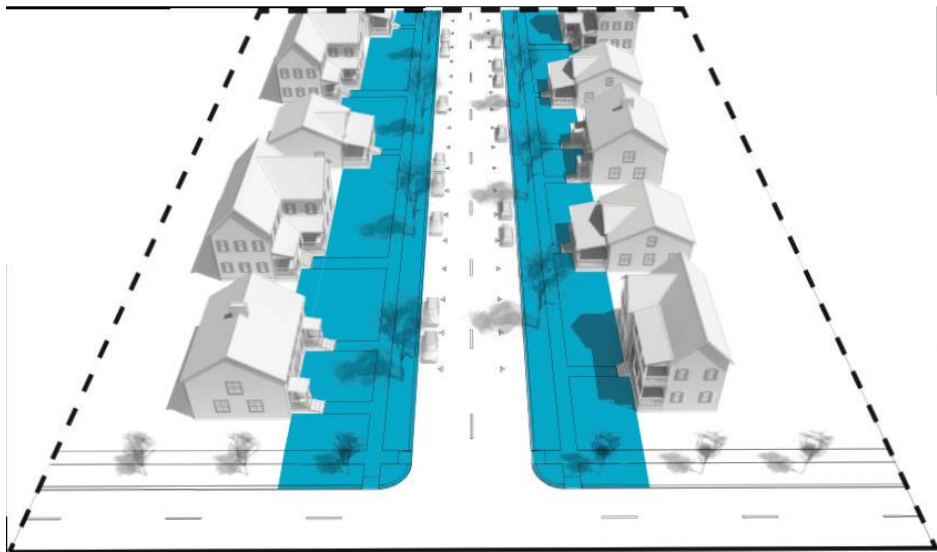


■ Principal Building

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



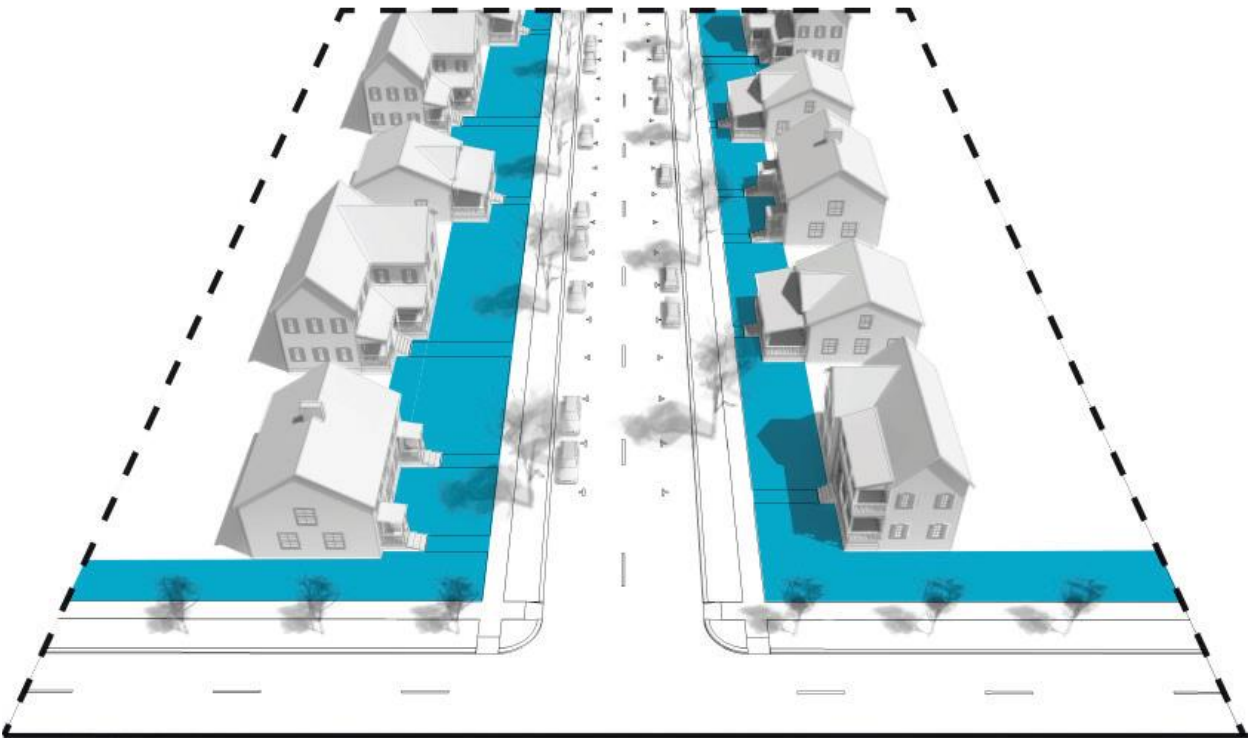
■ Principal Frontage

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



■ Private Frontage

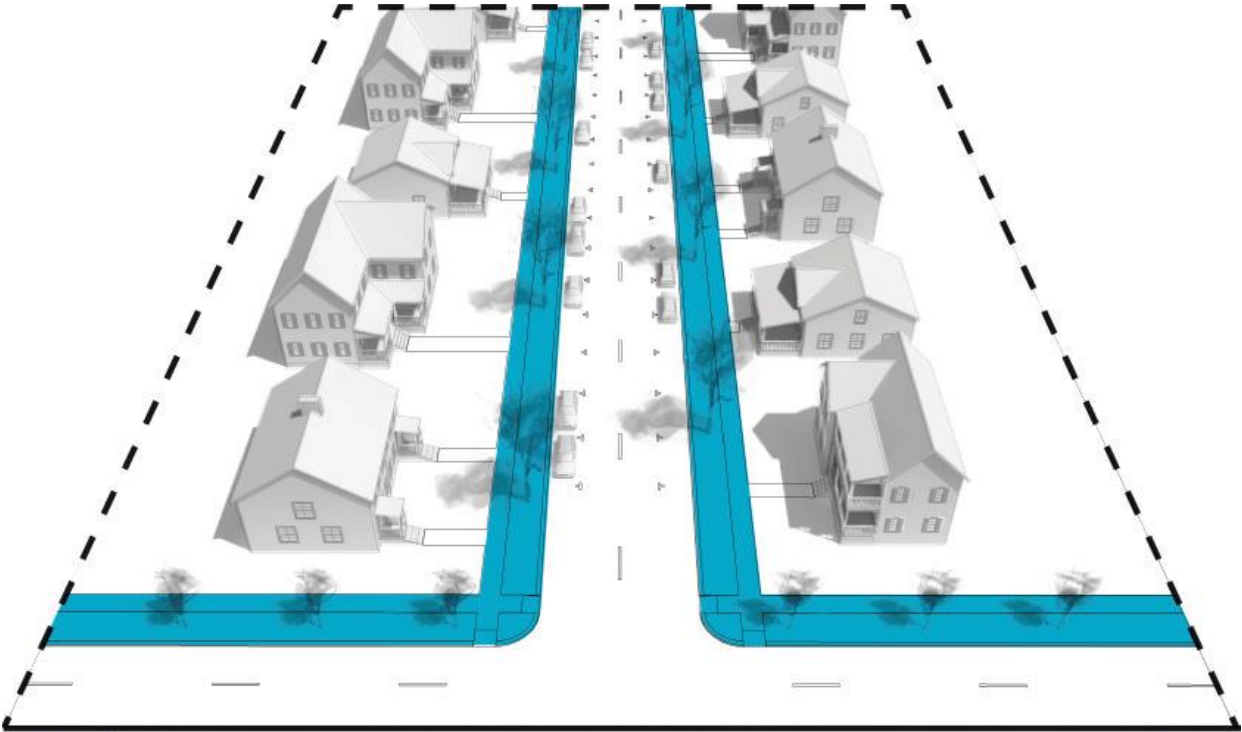
Public Frontage: the area between the Frontage Line and:

- (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



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.

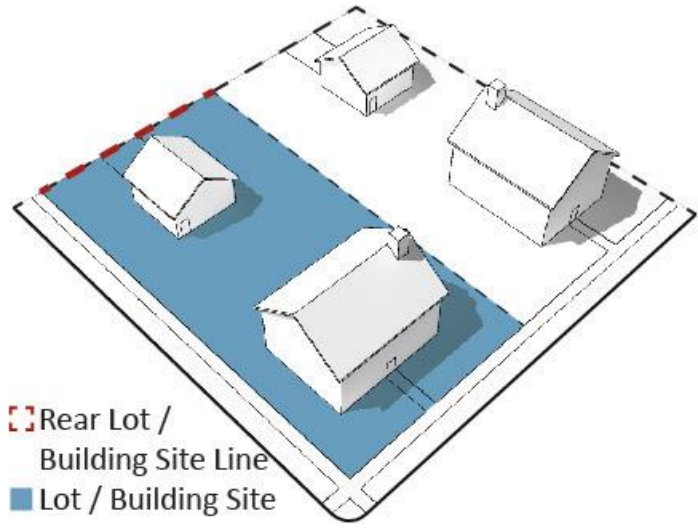
Public Meeting: a duly convened meeting of a Decision- Making Authority as contemplated under applicable state law, including public meetings, public hearings, workshops, and site visits.

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

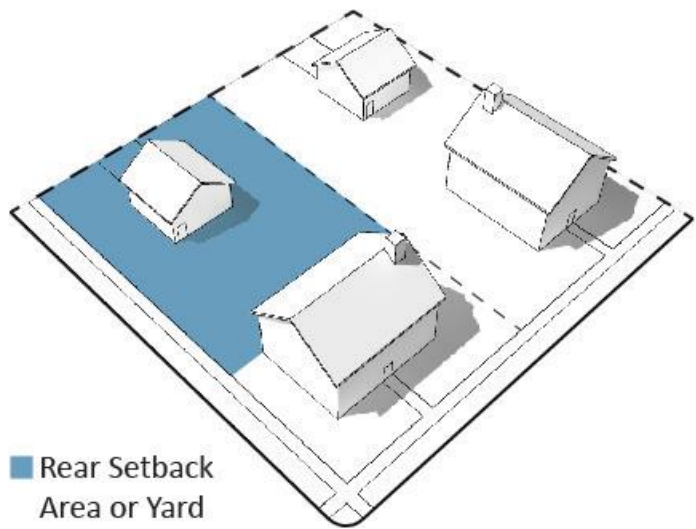


Rail Equipment Storage / Repair: Use involving premises for storing or repairing locomotives, rail cars, or other rail vehicles.

~~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;

2085

2086 (3) designed to be self – propelled or permanently towable by a light duty truck: and

2087

2088

2089

2090 (4) designed primarily for use as a non – permanent dwelling but as temporary living quarters for

2091 recreational, camping, vacation, travel, or seasonal use. The term includes camping Trailer, motor

2092 home, travel Trailer, and truck campers.

2093 Recreational Vehicle does not include Manufactured Homes.

2094

2095 **Recreation and Entertainment, Indoor:** participatory and spectator-oriented Recreation activities

2096 conducted within an enclosed Building, including without limitation billiard rooms, bowling centers, ice or

2097 roller skating rinks, Shooting Ranges, Theater, and arcades.

2098

2099 **Recreation and Entertainment, Outdoor:** participatory and spectator-oriented Recreation activities

2100 conducted in open, partially enclosed, or screened facilities, including without limitation amusement

2101 parks, fairgrounds, golf courses and driving ranges, and go-cart tracks.

2102

2103 **Recycling Collection Facility:** a facility used for the collection and transfer, but not the actual processing,

2104 of any of the following recyclable materials: glass, paper, plastic, cans, or other source-separated, non-

2105 decayable materials. Recyclable materials at a Recycling Collection Facility must not include motor oil,

2106 chemicals, household appliances, tires, automobiles, automobile parts, or decayable materials.

2107

2108 **Rehabilitation Facility:** a facility operated for the primary purpose of assisting in the rehabilitation of

2109 individuals through an integrated program of medical, psychological, physical, occupational, substance,

2110 social, or vocational evaluation and services under competent professional supervision.

2111

2112 **Religious Facilities:** facilities used by a non-profit group or institution for organized religious services,

2113 meetings, assembly, practice, activities, and supporting uses.

2114

2115 Examples are Places of Worship, church, mosque, synagogue, temple, monastery, convent, retreat center

2116 or any permanent or temporary Structure providing regular, organized religious worship of any

2117 denomination and religious education incidental thereto. A property tax exemption for a religious group

2118 or institution obtained pursuant to state law shall constitute prima facie evidence of a Religious Facilities
2119 Use.

2120

2121 Athletic, tennis, swim or Health Club (see Retail Sales and Service), Educational Uses, Day Care facilities,
2122 for distribution or production of products, including printed matter, for groups other than immediate
2123 membership, public neighborhood arts center or similar community facility (see Community Service),
2124 community center, revival or gospel tent, senior center (see Community Service), Social service facility
2125 (see Social Service Institution), and Treatment center, transient lodging, or shelter for the homeless (see
2126 Social Service Institutions) are not included in this Use Category.

2127

2128 **Required Yard or Setback Area:** a Yard or Setback Area required by this Ordinance, which is open and
2129 unobstructed from 30 inches above the general ground level of the graded lot upward to the sky except
2130 as permitted in Section 4.3.10 and no part of which is included as part of a Setback, Setback Area, or Yard
2131 for any other Building.

2132

2133 **Research Laboratory:** premises that contain research, development, and testing laboratories that do not
2134 involve the mass manufacture, fabrication, processing, or sale of products Such Uses must not be
2135 detrimental to the environment through the release of dust, smoke, fumes, odor, noise, or vibration and
2136 must not create an unsafe risk of fire or explosion given the location of the use, the Building in which it is
2137 located, and the nature of the surrounding Uses and Structures.

2138

2139 **Residence:** a Building or part of a Building containing one or more Dwelling Units or Rooming Units,
2140 including Single – Family or Two – Family Dwellings, Multi-Family Dwellings, Boarding Houses, Rooming
2141 Houses, or residence- apartment hotels. Residences shall not include:

2142

2143 (1) Transient accommodations, such as Transient hotels, Motels, or similar establishments;

2144

2145 (2) Dormitories, fraternity or sorority houses, monasteries, or convents, or similar establishments
2146 containing Group Living or sleeping accommodations;

2147

2148 (3) Nurses' residences, sanitariums, nursing homes, convalescent homes, rest homes, or other
2149 sleeping or living accommodations in community facility buildings or portions of buildings used
2150 for community facilities; or

2151

(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

2221 and Construction Equipment, or other equipment, building materials, special trade tools, welding
2222 supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures
2223 (see Wholesale Trade).

2224

2225 **Retail Food Sales:** the sale of food for off-premises consumption, excluding Restaurants.

2226

2227 **Retail Membership Club:** a discount Retail establishment that sells merchandise to its members.

2228

2229 **Rezoning:** A change in the district boundaries or district classifications of the zoning map pursuant to
2230 Section 8.5.19. For the purposes of this Ordinance, rezoning also includes the initial zoning of a property
2231 that occurs with annexation.

2232 ~~reassignment of the District applicable to land pursuant to Section 8.5.19.~~

2233

2234 **Right-of-Way Line:** a line contiguous with a Lot or Building Site Line, dividing a Lot or Building Site from
2235 an Abutting Thoroughfare or Internal Drive.

2236

2237 **Road (RD):** a local, rural and suburban Thoroughfare or Internal Drive of low-to-moderate vehicular speed
2238 and capacity, described as such in Table 5.3.3.F (Thoroughfare / Internal Drives Types – Summary) and
2239 Table 5.3.3.G (Thoroughfare / Internal Drive Assemblies and Standards).

2240

2241 **Roadside Stand:** a small open air Structure for the Retail sale of produce or other goods grown or
2242 produced on the property where the Roadside Stand is located. Roadside Stand does not include Farmer's
2243 Markets or Outdoor Markets.

2244

2245 **Rooming House:** a Residential type in a private Dwelling in which at least three (3) but not more than six
2246 (6) rooms are offered for rent, payable in money and/ or other consideration, whether or not table board
2247 is furnished to roomers, and in which no Transient guests are accommodated and no Restaurant is
2248 maintained for service to any Persons who are not residents of the Rooming House.

2249

2250 **Rooming Unit:** a unit of Residential occupancy.

2251

2252 **Rowhouse:** ~~a Building in a collection of very narrow- to medium-sized attached Buildings on contiguous~~
2253 ~~Lot or Building Sites with a Rearyard (and Sideyard if an end unit), which collection consists of side-by-~~
2254 ~~side Dwelling Units with individual entries facing a Thoroughfare or Internal Drive. Each Building and any~~

2255 ~~Side Setback Area or Side Yard or occupy the full Frontage Line of its Lot or Building Site and shares at~~
 2256 ~~least one Party Wall with another Building of the same type. See Table 4.3.8.A (Principal Building Types)~~
 2257 ~~and Table 4.3.8.B (Principal Building Types – Specific Standards). Townhouse Building Type described as such~~
 2258 ~~in Table 4.3.8.B (Principal Building Types).~~
 2259

2260 **School:** Business or Trade School, College / University, High School, Middle School, Pre-School or Nursery
 2261 School, Primary or Elementary School, or Secondary School.

2262

2263 **School, Primary or Elementary:** See “Primary or Elementary School”.

2264

2265 **School, Secondary:** See “Secondary School”.

2266

2267 **Scrap or Salvage Yard / Service:** a Use, other than an Impound Yard or Towing Facility, in which an
 2268 establishment is engaged primarily in the sale, storage, assembling, dismantling, sorting, distributing, or
 2269 other processing of scrap, used equipment, mechanical components, or waste materials, including a
 2270 Junkyard.

2271

2272 **Screen/Screening:** (1) used as a verb, to block an item or condition from view from a vantage point in
 2273 accordance with the requirements of this Ordinance by interposition of a Building, Building Element, Wall
 2274 or Fence constructed of an opaque material, or an evergreen hedge; or

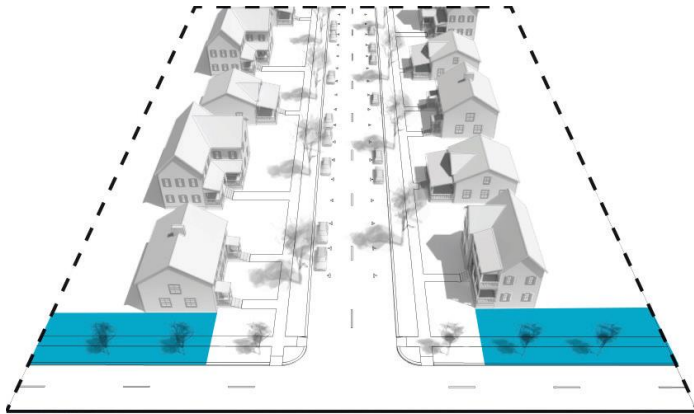
2275

2276 (2) used as a noun, a Building, Building Element, Wall or Fence constructed of an opaque material or an
 2277 evergreen hedge, which blocks an item or condition from view from a vantage point, as required by this
 2278 Ordinance. Not synonymous with Streetscreen.

2279

2280 **Secondary Frontage:** on Corner Lots or Building Sites, the Frontage that is not the Principal Frontage. See
 2281 Illustration 9.3.S-1 (Secondary Frontage).

2282 **ILLUSTRATION 9.3.S-1 SECONDARY FRONTAGE**



■ 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:

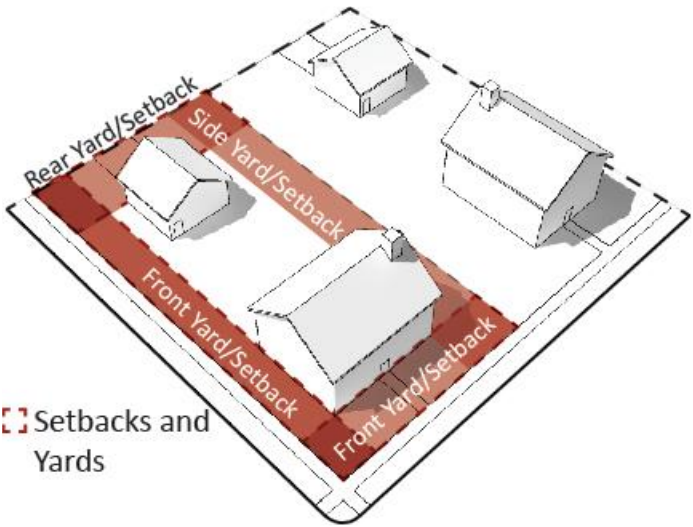
Rental of light or medium trucks, storage area used for Manufacturing use, storage area used for sales, service, and repair operations, and transfer and storage Business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred.

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

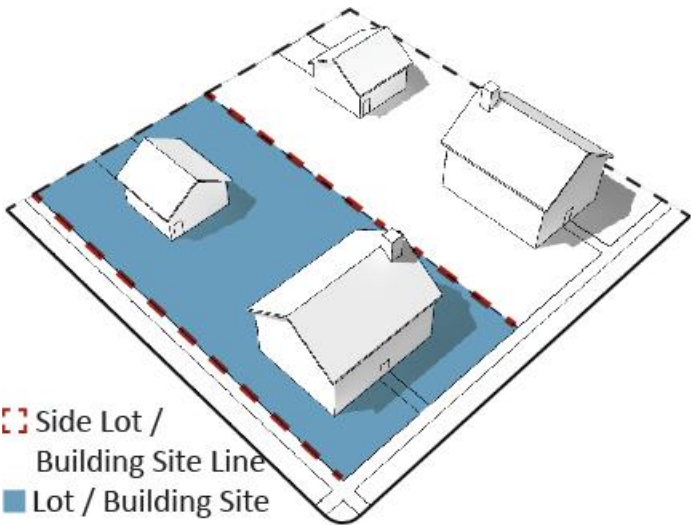
Line with the Building entrance at Sidewalk grade. This Frontage has substantial glazing at the Sidewalk level and may include an awning overlapping the Sidewalk. See Table 4.3.7.A (Private Frontage Types).

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

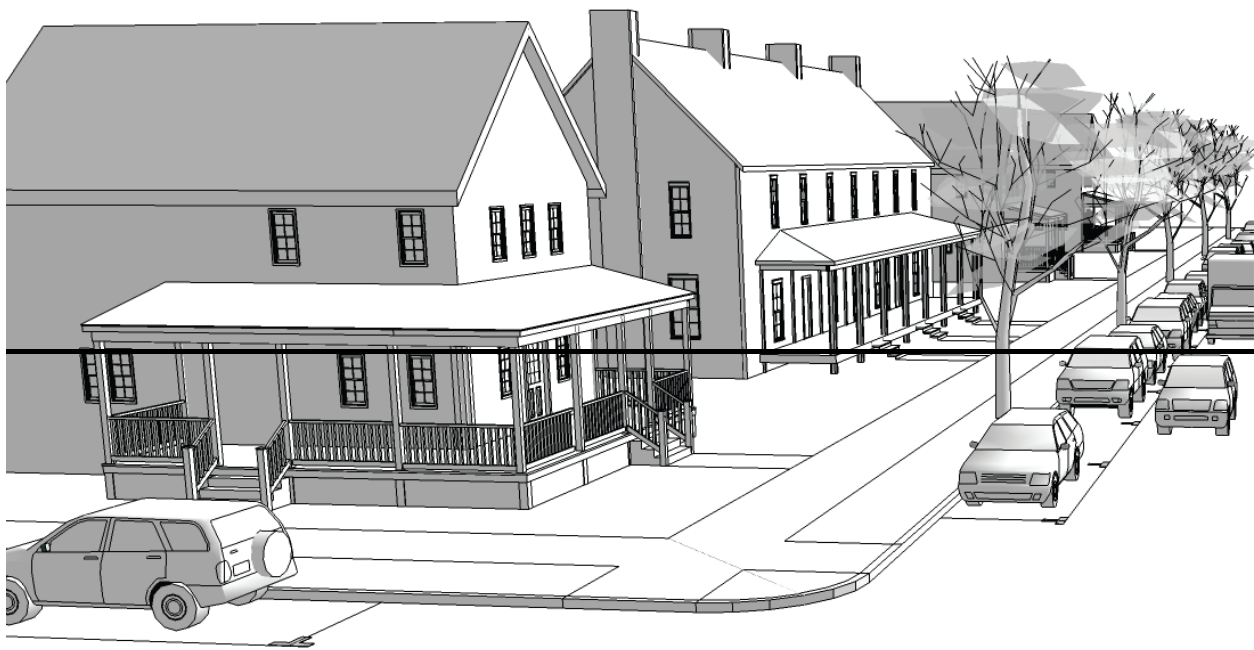


Side Setback, Setback Area or Yard: the portion of a Lot or Building Site that is situated between (1) the nearest roofed portion of the Building or of any Accessory Building on a Lot or Building Site and (2) the Side Lot or Building Site Line, and extending through from the Front Setback Area or Yard 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

2407 Residence” may include a Dwelling Unit which includes separate quarters for persons who are
 2408 related by blood, marriage or adoption to the primary occupants, provided such quarters are
 2409 connected by interior passageways to the other portions of the dwelling unit, and are not rented
 2410 to any unrelated tenants or otherwise used in violation of this Ordinance If more than one meter
 2411 is installed for the same type of household utility service, it will be presumed that Structure is not
 2412 being used as a Single- Family Residence.

2413

2414 Notwithstanding any other provisions to the contrary, subject to the City Manager’s approval, and for
 2415 such periods of time as the City Manager deems reasonable and necessary, a Single-Family Residence may
 2416 include, on a temporary basis, one or more persons, not related to the primary occupants, who have been
 2417 dislocated from their permanent residence due to an officially recognized local, regional or national
 2418 emergency. A report shall be provided to advise the City Council, Planning Commission, and Development
 2419 Services Department of any such situations approved by the City Manager.

2420

2421 **Single Ownership:** a proprietary interest of a Landholder as defined herein.

2422

2423 **Site Development Plan:** a map required by Section 8.5.6.H, which indicates the intended Development of
 2424 a parcel of land and which meets the standards and requirements of, and is prepared in accordance with,
 2425 Section 8.5.6.H and other applicable provisions of this Ordinance.

2426

2427 **Small Multi-Family Building:** Principal Building type that incorporates between three (3) and six (6) side-
 2428 by-side and/or horizontally stacked Dwelling Units, typically with one or more shared entries. See Table
 2429 4.3.8.A (Principal Building Types) and Table 4.3.8.B (Principal Building Types - Specific Standards).

2430

2431 **Social or Civic Club or Lodge:** a Use characterized by a Structure and/or land owned by or leased to one
 2432 or more Social or Civic Organizations for meeting, recreational, or social purposes primarily by their
 2433 members and their guests.

2434

2435 **Social or Civic Organization:** a private non-profit group, association, organization, club, establishment,
 2436 brotherhood, membership, or other similar group providing meeting, recreational, social, fraternal, youth,
 2437 or similar activities or facilities primarily for its members and guests; excluding, however any type of
 2438 Residential facility such as fraternity or sorority houses.

2439

2440 **Solid Waste Facility:** premises, appurtenances and Improvements used for treating, storing, or disposing
 2441 of solid waste, whether publicly or privately owned or operated. A Solid Waste Facility may consist of

2442 several treatment, storage, or disposal operational units, including, but not limited to, one or more
2443 landfills, surface impoundments, or combination thereof.

2444

2445 **Special District:** an area which, due to its intrinsic size, Use, Configuration, cannot conform to the
2446 requirements and standards of one or more of the applicable Character Districts or Civic District as
2447 specified in this Ordinance.

2448

2449 **Special Exception:** synonymous with Conditional Use.

2450

2451 Special Requirements: provisions of Section 2.2 and Section 5.7 and/or the associated designations on the
2452 Zoning Map for those provisions.

2453

2454 **Specified Anatomical Areas:** less than completely and opaquely covered human genitals, pubic region,
2455 buttock, and female breast below a point immediately above the top of the areola. Also, human male
2456 genitals in a discernibly turgid state, even if completely and opaquely covered.

2457

2458 **Specified Sexual Activities:** human genitals in a state of sexual stimulation or arousal; acts of human
2459 masturbation, sexual intercourse or sodomy; fondling or other erotic touching of human genitals, pubic
2460 region, buttock or female breast.

2461

2462 **Specimen Tree:** any Canopy Tree with a diameter of 24 inches or greater measured at diameter breast
2463 height (DBH) 4.5 ft.

2464

2465 **Sports Field:** a Civic Space type that accommodates the play of athletic endeavors, described as such in
2466 Table

2467 5.3.3.A (Civic Space Types - Summary) and Table 5.3.3.B (Civic Space - Specific Standards); excluding Sports
2468 Venues. May include associated Structures.

2469

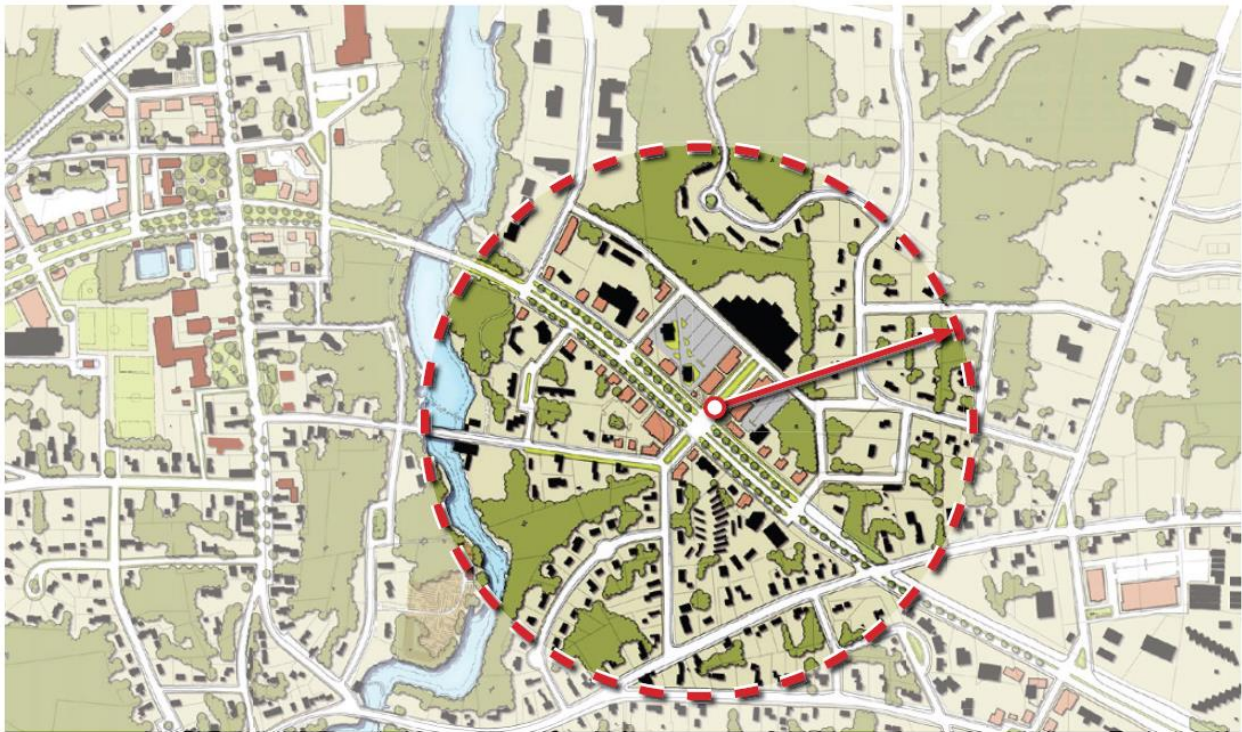
2470 **Sports Venue:** premises at which athletic events are presented.

2471

2472 **Square:** a Civic Space type described as such in Table 5.3.3.A (Civic Space Types - Summary) and Table
2473 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

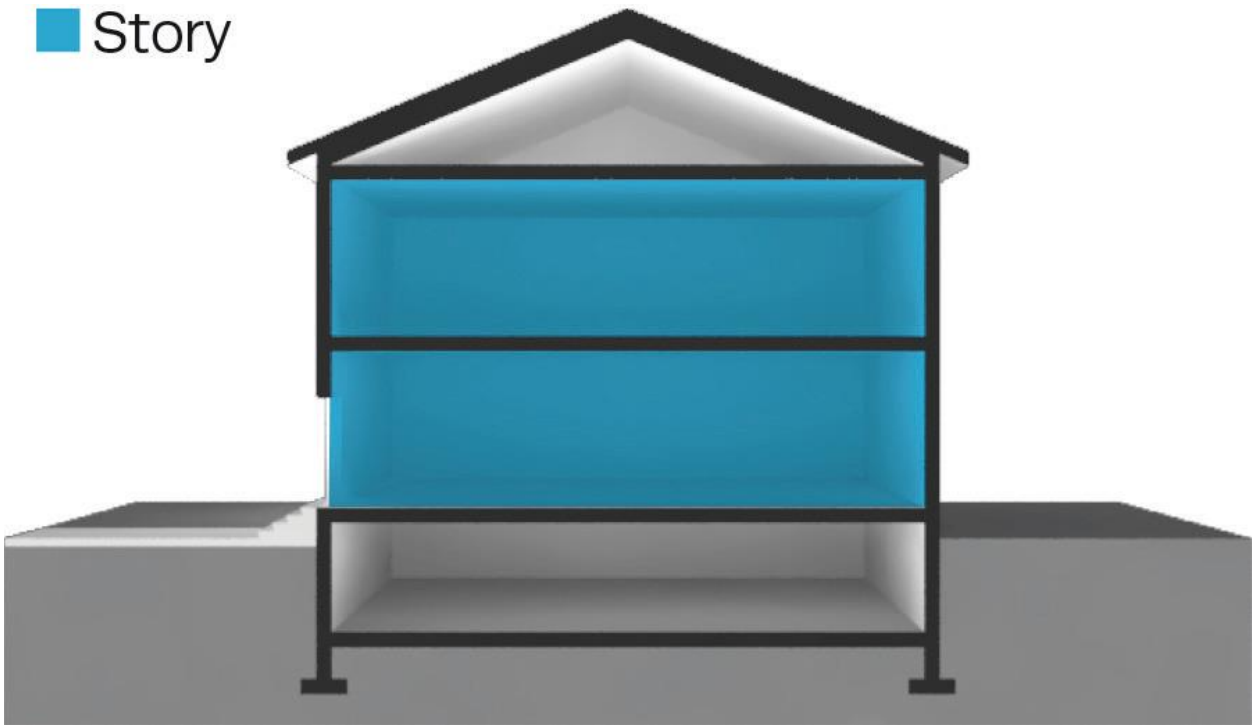


Stoop: a Private Frontage type wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy. An exterior stair and landing provides access to the entrance. This type is recommended for ground-floor Residential Use. See Table 4.3.7.A (Private Frontage 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

■ Story



- 2489
- 2490
- 2491
- 2492
- 2493 **Street (ST):** a local urban Thoroughfare or Internal Drive of low speed and capacity, which meets the
- 2494 standards and requirements for such Thoroughfare type as set forth in and as described as such Table
- 2495 5.3.3.F (Thoroughfare / Internal Drive Types - Summary) and Table 5.3.3.G (Thoroughfare / Internal Drive
- 2496 Assemblies & Standards). When not capitalized, the term “street” means any public way not within a Lot
- 2497 or Building Site on which vehicles travel.
- 2498
- 2499 **Streetscape:** street lights, trees, planting accommodations and Sidewalk along a Thoroughfare or Internal
- 2500 Drive.
- 2501
- 2502 **Streetscreen:** a type of Screen situated along a Frontage Line, or along the same plane as a Façade, and
- 2503 consisting of a planted evergreen hedge or freestanding Wall constructed of brick or stucco over masonry,
- 2504 which blocks the view of Parking, equipment, or other item or condition from the Frontage, provides
- 2505 privacy to a Side Yard, or strengthens the spatial definition of the public realm.
- 2506
- 2507 **Street Setback, Setback Area, or Yard:** synonymous with Front Setback, Setback Area, or Yard.

2508

2509 Street Setback, Setback Area, or Yard Depth: the dimension of a Street Setback, Setback Area, or Yard that
2510 is measured as follows:

2511

2512 The depth of a Street Setback, Setback Area, or Yard shall be measured at right angles to a straight line
2513 joining the foremost points of the Side Lot or Building Site Lines; provided that in the case of rounded
2514 property corners at Thoroughfare or Internal Drive intersections, the foremost point of the Side Lot or
2515 Building Site Lines shall be the point at which the Side Lot or Building Site Lines and Front Lot or Building
2516 Site Lines would have met without such rounding.

2517

2518 Synonymous with Front Setback, Setback, or Yard Depth.

2519

2520 **Structure:** anything constructed, installed, or erected, the use of which requires a permanent location on
2521 the ground or attachment to something having a permanent location on the ground, regardless whether
2522 the same is horizontal or vertical. The word "Structure" includes Buildings and other Improvements and
2523 all parts thereof.

2524

2525 **Swimming Pool:** a constructed basin or Structure for swimming and aquatic recreation, excluding plastic,
2526 canvas or rubber pools temporarily erected upon the ground and holding less than 300 gallons of water.

2527

2528 **Tasting Room:** an establishment or portion of an establishment that allows customers to taste samples of
2529 beer, alcoholic spirits, or vinous beverages. In addition to such products, a Tasting Room may include the
2530 Retail sale of related items, marketing events, special events, entertainment, and/or food sales.

2531

2532 **TCA:** Tennessee Code Annotated.

2533

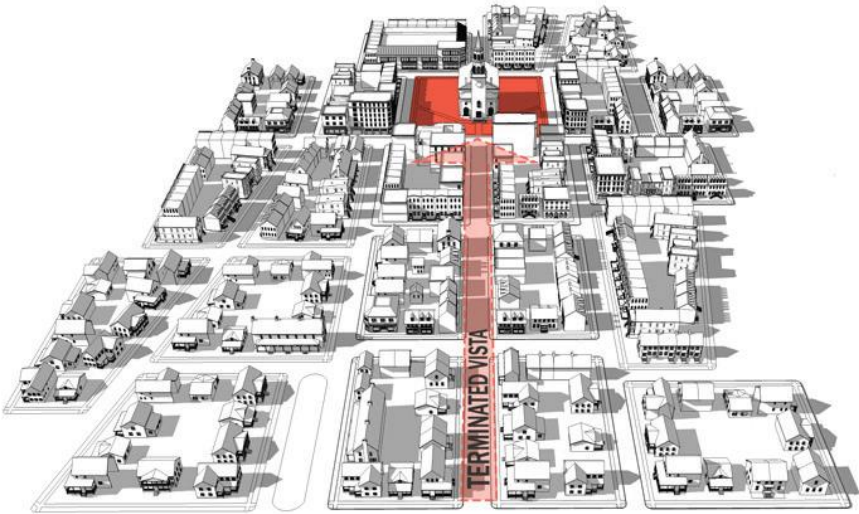
2534 **Temporary Sign:** any Sign which is not permanently installed, mounted, or placed. Signs of the types
2535 described in Table 7.1.2.B-1 (Summary of Sign Types) and Table 7.1.2.B-2 (Sign Types - Specific Standards)
2536 are not Temporary Signs.

2537

2538 **Temporary Use:** Use of premises for fewer than 60 days or such other period as may be specifically
2539 provided in this Ordinance, and permitted by right, by conditional use, or subject to limited use standards
2540 under Section 4.3.9G in accordance with Table 4.3.9.A-3 (Building, Lot & Building Site Temporary Uses),
2541 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).

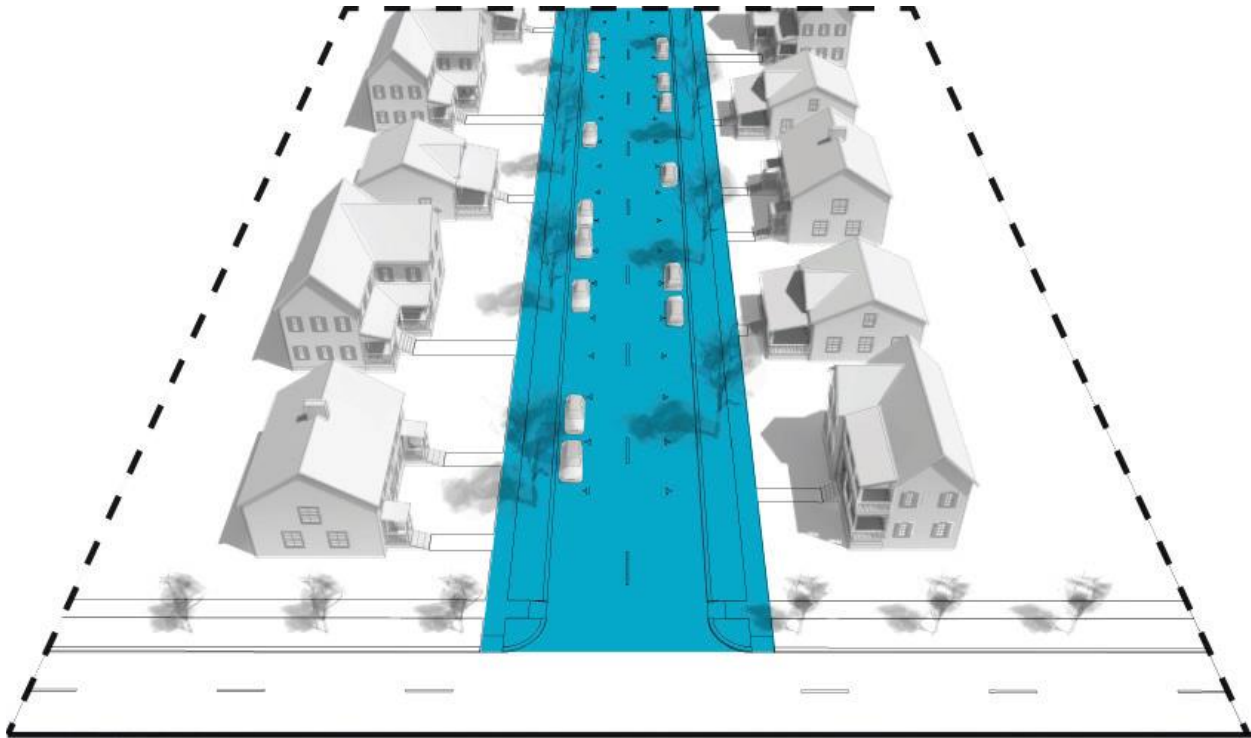
Theater: a Building or part of a Building devoted to the showing of motion pictures, or theatrical or performing arts productions, as a Principal Use.

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

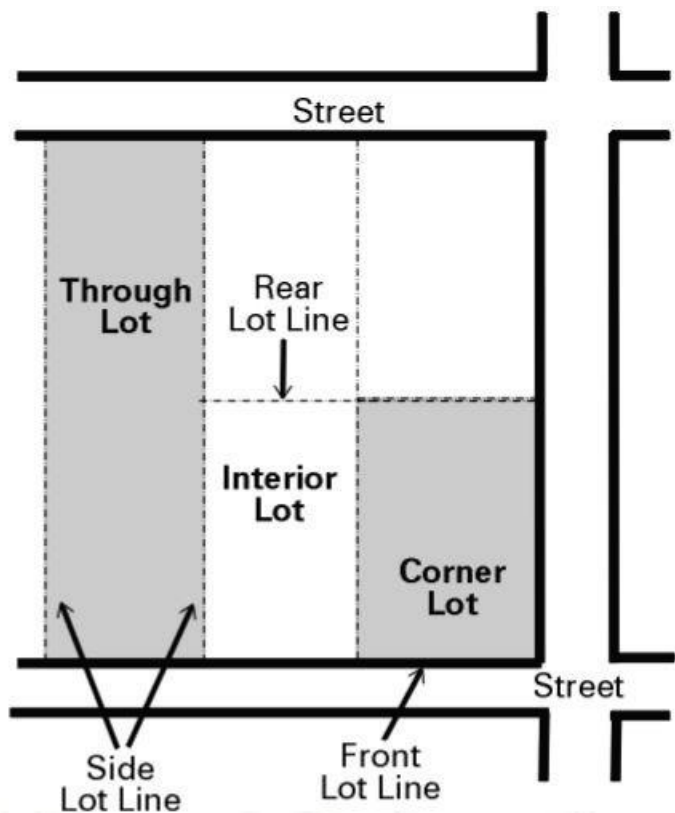
Frontage. See Illustration 9.3.T-2 (Thoroughfare). See also Table 5.3.3.F (Thoroughfare / Internal Drive Types Summary) and Table 5.3.3.G-1 (Thoroughfare / Internal Drive Assemblies and Standards). See also “Internal Drive”.

ILLUSTRATION 9.3.T-2 THOROUGHFARE



■ Thoroughfare

- 2570
- 2571
- 2572 **Through Lot or Building Site:** a Lot or Building Site type that extends through from Thoroughfare or
- 2573 Internal Drive to Thoroughfare or Internal Drive.
- 2574 **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.

2592 **Townhouse:** the Building Type described as such in Table

2593 4.3.8.B (Principal Building Types).

2594

2595 **Trailer:** an unpowered, portable, or mobile vehicle designed to be designed to be towed by a Motor
2596 Vehicle.

2597

2598 **Transient:** as a noun, a Person who is staying in a place for fewer than thirty (30) days; as an adjective or
2599 adverb, a duration of fewer than thirty (30) days.

2600

2601 **Transit Shelter:** accommodation providing shelter from the elements for waiting transit riders, excluding
2602 a Transit Station or Terminal.

2603

2604 **Transit Station or Terminal:** a facility or area at which train, rapid transit, light rail, bus, or other mass
2605 transit modality service regularly stops to load or unload passengers.

2606

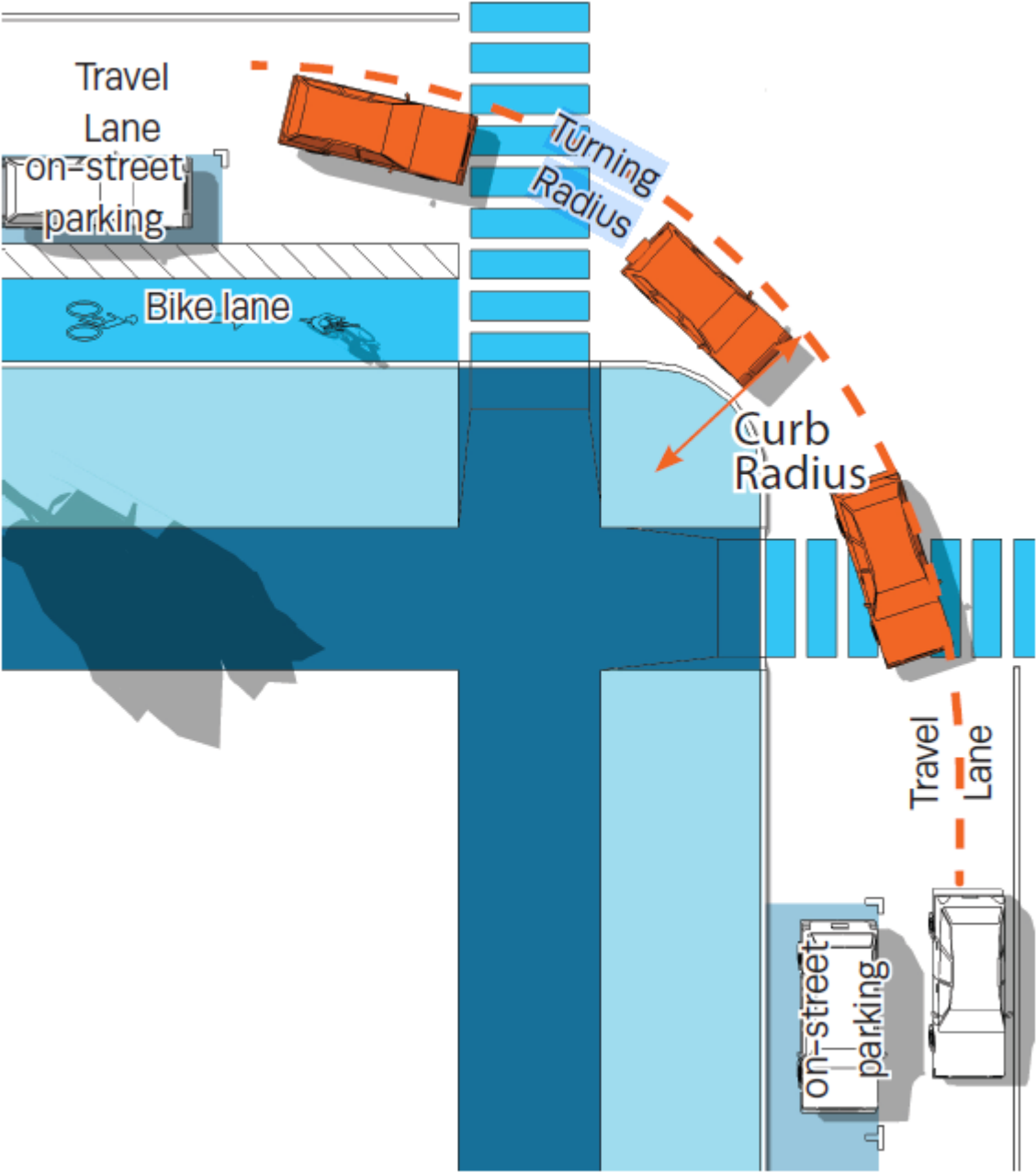
2607 **Tree Removal:** cutting down, digging up, destroying, clearing, or otherwise taking a tree from the location
2608 in which it is growing; inflicting damage to the root system; girdling; storing materials, soil compaction,
2609 changing the natural grade above or below the root system or around the trunk; inflicting damage that
2610 permits fungus infection or pest infestation; excessive pruning; excessive thinning; excessive paving with
2611 concrete, asphalt or other impervious material in such proximity as to be harmful to the tree; excessive
2612 grading; or any act of intentional or reckless damage to a tree. Without limiting the foregoing, excessive
2613 pruning or thinning shall include pruning or thinning more than 25% of the leaf surface on both the lateral
2614 branch and the overall foliage of a mature tree and and pruning or thinning that does not allow 1/2 of the
2615 foliage of a mature tree to remain evenly distributed in the lower 2/3rds of the crown and individual limbs;
2616 and excessive paving or grading shall include paving or grading over any part of the Critical Root Zone of
2617 a tree.

2618

2619 **Turning Radius:** the inside radius of the Vehicular Lanes available for a vehicle to make a turn, accounting
2620 for the presence of parking, bike lanes, medians or other features. See Illustration 9.3.C-3 (Curb Radius).
2621 Table 5.2.2.G-1 (Thoroughfare Assemblies & Standards) and Illustration 9.3.T-4 (Turning Radius). See also
2622 Curb Radius.

2623

2624 **ILLUSTRATION 9.3.T-4 TURNING RADIUS**



Usable Floor Area: the Floor Area within a Building, less the area of space used for utilities or storage.

$$\begin{array}{rcccl} \textit{Floor Area} & & \textit{Space Used For} & & \textit{Useable} \\ \textit{Within Building} & - & \textit{Utilities or Storage} & = & \textit{Floor Area} \end{array}$$

2629

2630

2631 **Utility(ies):** (1) as a Uses category under this Ordinance, the Uses category involving uses, activities, and
 2632 equipment involved with the providing electricity, gas, water, sewage, telephone, cable, or other similar
 2633 publicly regulated service, such category of Uses including without limitation Utility Lines, Utility
 2634 Distribution / Substation / Switching Facility, and Utility Pumping Station (See Table 4.3.9.A-1 (Building,
 2635 Lot & Building Site Principal Use); (2) as a service, electricity, gas, water, sewage, telephone, cable, wireless
 2636 communications, or other similar publicly regulated service provided by a Utility Provider.

2637

2638 **Two-Family Detached Dwelling:** separate Residential premises for only two Families within a Building,
 2639 whether both Dwelling Units are on a single Lot or Building Site or Abutting Lots or Building Sites. A Duplex
 2640 is a specific Building Type that may accommodate a Two-Family Detached Dwelling, but the terms are not
 2641 synonymous.

2642

2643 **Unified Control of a Landholder:** with respect to a Planned Unit Development, control by a single Person
 2644 of all land to be developed within the overall Planned Unit Development site.

2645

2646 **Use:** a specific function, activity, or purpose accommodated by or intended to be accommodated by land,
 2647 a Lot, Building Site, or a Structure, or for which land, Lot, Building Site, or Structure is designed, arranged,
 2648 intended, occupied or maintained. See Table 4.3.9.A-1 (Building, Lot & Building Site Principal Use) and
 2649 Table 4.3.9.A-2 Building, Lot & Building Site Accessory Uses).

2650

2651 **Utility Distribution / Substation / Switching Facility:** facility used for Utility distribution, including
 2652 systems, and equipment used for such purposes.

2653

2654 **Utility Facility:** premises used by a Utility Provider relative to providing a Utility service, including without
 2655 limitation a Utility Pumping Station, a Utility Distribution / Substation/ Switching Facility, a water tower
 2656 or tank, a Water Treatment / Supply Facility, a water or wastewater pump station, a water reclamation
 2657 facility, a Sewage Facility, a Utility Generation Facility, a Wireless Communications Facility, a
 2658 Communications Tower, or other facility used to provide a Utility service, excluding, however, Utility Lines.

2659

2660 Maintenance yard or Building (see Light Industrial Service), Utility office (see Office), TV and radio studio
 2661 (see Office), and Reservoir or water supply (see Civic Space and Open Space) are not included in this Use
 2662 Category.

2663

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.

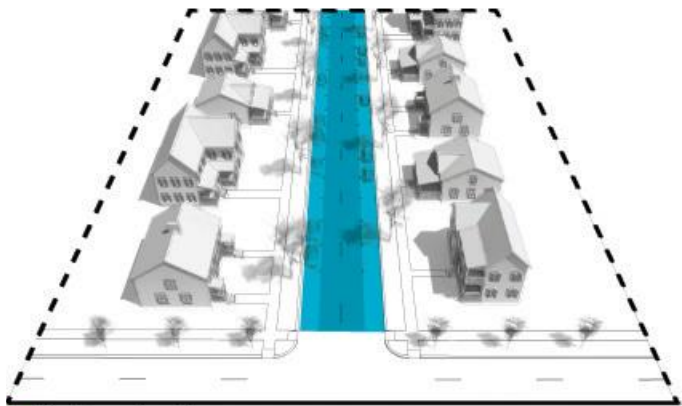
Utility Pumping Station: a facility at which water, sewage, or other Utility fluids are pumped from one place to another.

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



■ Vehicular Lanes

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.

2711 Not included in this sub-category are bulk storage of flammable liquids (see Heavy Industrial), Self-Storage
2712 Facilities, Mini-warehouse, multi-story enclosed storage facility, storage garages (see Self-Service
2713 Storage), Solid or liquid waste transfer, or composting (see Waste- Related Service).

2714

2715 **Waste-Related Service:** Use sub-category of Industrial Use category characterized by Uses that receive
2716 solid or liquid wastes from others for transfer to another location and Uses involving collection of sanitary
2717 wastes or manufacture or production of goods or energy from the composting of organic material.

2718 Not included in this sub-category are:

2719 Stockpiling of sand, gravel, or other aggregate materials (see Warehouse and Freight Movement).

2720

2721 Water Treatment / Supply Facility: facilities for the treatment and supply of potable, irrigation, or
2722 industrial water supply.

2723

2724 Wholesale Sales: the sale, lease, or rent of goods in large quantities primarily to industrial, institutional,
2725 and commercial business customers, which goods may or may not be resold at Retail by such customers.

2726

2727 Retail Sales, Personal Service, Repair, Arts, and Artisan Use, in-store sales, lease, or rental of consumer,
2728 household, or business goods, Warehousing or Freight Movement (see Warehouse and Freight
2729 Movement), and Warehouse or Wholesale Club (see Retail Sales and Service) are not included in
2730 Wholesale Sales.

2731

2732 **Window Sign:** the Sign Type described as such in Table 7.1.2.B-1 (Sign Types - Summary) and Table 7.1.2.B-
2733 2 (Sign Types - Specific Standards).

2734

2735 **Winery:** an establishment which is primarily used for the manufacture of vinous beverages in accordance
2736 with applicable state and local regulations.

2737

2738 **Wireless Communications Facility:** any facility for the receiving or transmitting of wireless signals for
2739 commercial purposes. As used herein the term shall include any necessary support structure, connection
2740 cables and equipment buildings as well as towers or monopoles.

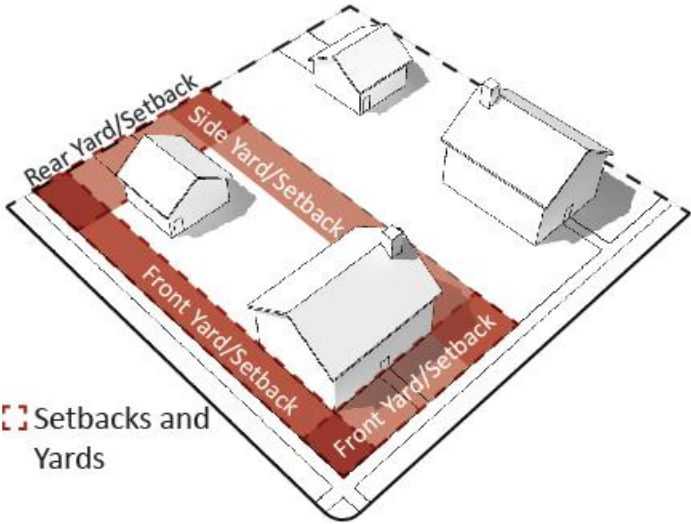
2741

2742 **Woodworking Shop:** premises at which wooden articles are made or repaired.

2743

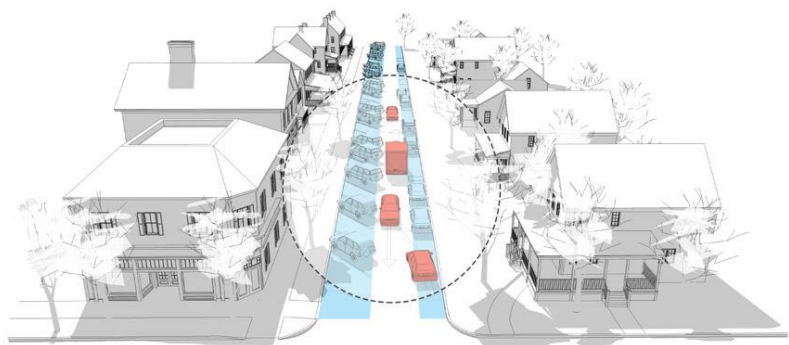
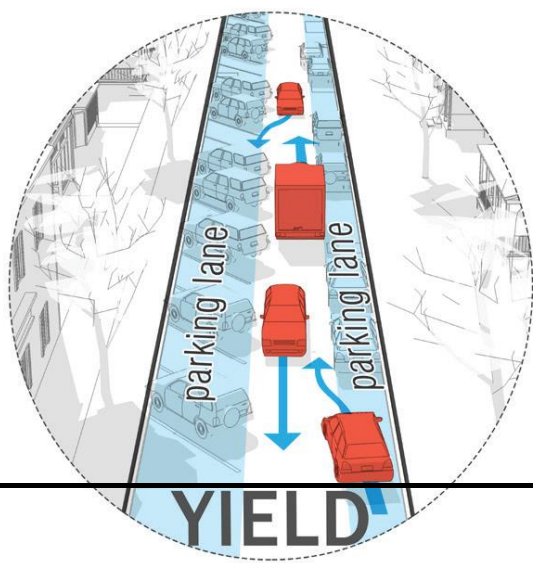
Yard or Setback Area: an open area within a Lot or Building Site on which there is a Building. Setback Areas or Yards are described by their positions within the Lot or Building Site, and their area is calculated as the shortest horizontal distance from a Lot or Building Site Line to the nearest foundation 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.

2771 The Zoning Map approved by the City Council, as the same may be amended from time to time, constitutes
2772 the Official Zoning Map of the City.

2773
2774 **Zoning Permit:** a permit required to Develop, construct, reconstruct, Improve, Alter, or use any Structure,
2775 Lot or Building Site.

2776



CITY OF COLUMBIA TENNESSEE
CITY COUNCIL
STAFF REPORT

STAFF REPORT CONTACT INFORMATION

Donna Osmon, Senior Administrative Assistant

AGENDA ITEM TITLE: ORDINANCE NO. 4523 - AN ORDINANCE APPROVING THE CONVEYANCE OF A PERMANENT UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT TO COLUMBIA POWER AND WATER SYSTEMS FOR PURPOSES OF A WATER LINE.

RECOMMENDATION: Approve Ordinance No. 4523.

INFORMATION: Columbia Power and Water Systems, as part of the Community H2O Program has identified and approved a permanent utility easement and temporary construction easement for the purpose of a water line located on the property at 110 Santa Fe Pike. This water line is needed in conjunction with the Community H2O Program for the purposes of the Columbia Power and Water Systems long term water supply program. Columbia Power and Water Systems will compensate the City of Columbia in the amount of \$116,800.00 for this easement.

CERTIFICATION:

ATTACHMENTS: Staff Report; Ordinance No. 4523; CPWS Offer to purchase easement; Exhibit A; Exhibit A Sketch

**AN ORDINANCE APPROVING THE CONVEYANCE OF A PERMANENT
UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT TO
COLUMBIA POWER AND WATER SYSTEMS FOR PURPOSES OF A WATER
LINE**

WHEREAS, Columbia Power and Water System, as part of the Community H2O Program, has identified and approved a permanent utility easement and temporary construction easement. The easement property rights, on a portion of the 24 acres of land identified as Parcel ID 089L H 17.00 of Columbia, TN are needed in conjunction with the Community H2O Program for the purposes of the Columbia Power and Water Systems long term water supply program; and

WHEREAS, Columbia Power and Water Systems has made a firm offer of \$116,800 for the purchase of a permanent utility easement and temporary construction easement on Parcel 089L H 17.00; and

WHEREAS, Columbia Power and Water Systems has requested the City of Columbia to convey a permanent utility easement and a temporary construction easement as described herein for constructing, installing, operating, maintaining, changing the size of, inspecting, altering, replacing, and removing a water line and associated appurtenances, together with a right of ingress and egress over the adjacent lands of the City of Columbia.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA as follows:

SECTION 1. That the City of Columbia, Tennessee, does hereby approve the grant, transfer and conveyance to Columbia Power and Water Systems an exclusive, permanent easement within which to construct, install, operate, maintain, change the size of, inspect, alter, replace and remove a water line and associated appurtenances, together with the right of ingress and egress over the adjacent lands owned by the City to accomplish the foregoing purposes, for a compensation amount of \$116,800.00. Said easement is a portion of Parcel ID 089L H 17.00, located at 110 Santa Fe Pike and is more particularly described in the proposed easement which is attached hereto and incorporated herein as Exhibit "A".

SECTION 2. That the Mayor of the city of Columbia is hereby authorized to execute and deliver said easement to the Columbia Power and Water Systems.

SECTION 3. That all Ordinance or parts of Ordinances in conflict herewith are hereby repealed.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, TENNESSEE, this the _____ day of _____, 2024.

CHARLES (CHAZ) M. MOLDER, MAYOR

ATTEST:

THAD H. JABLONSKI, CITY RECORDER

LEGAL FORM APPROVED:



C. TIM TISHER, CITY ATTORNEY

APPROVED FOR FIRST CONSIDERATION:

ANTHONY R. MASSEY, CITY MANAGER

Passed on 1st Consideration: _____

Passed on 2nd Consideration: _____

Easement No.

OWNER: City of
Columbia, Tennessee

Prepared by: Daniel L. Murphy, Attorney At Law Tax Map 89L Group H, Parcel 17.00

WATERLINE EASEMENT

THIS WATERLINE EASEMENT (the "Waterline Easement") is dated as of and made by the undersigned City of Columbia, Tennessee (herein called "Grantor" whether one or more) to the City of Columbia, Tennessee for the benefit of the Board of Public Utilities for the City of Columbia, d/b/a Columbia Power and Water Systems together with its successors and assigns (said entity and its successors and assigns are herein collectively called "Grantee").

WITNESSETH:

WHEREAS, Grantor is the owner of certain real property more particularly described by deed of record in Book 331, Page 284, Registrar's Office for Maury County, Tennessee (the "Property"); and

WHEREAS, Grantee desires to obtain an easement from Grantor for the purposes described herein and in further consideration for the agreements set forth herein and Grantor has agreed to grant the easement to Grantee across Grantor's Property pursuant to the terms of this Waterline Easement.

NOW, THEREFORE, in consideration of the sum of TEN DOLLARS (\$10.00), and other good and valuable consideration paid by Grantee to Grantor, the receipt of which is hereby acknowledged, Grantor and Grantee hereby agree as follows:

1. Grantor hereby grants, sells and conveys unto Grantee, a free and unobstructed right of way and exclusive easement for the purpose of laying, constructing, operating, maintaining, inspecting, repairing, replacing, changing the size of, relocating and changing the route or routes of, abandoning in place and removing at will, in whole or in part, a Waterline or Waterlines and the appurtenances thereto, including the right to install additional Waterlines and appurtenances in the future as may be necessary or convenient for Grantee and as may be necessary or convenient in the operation of said lines, over, across, under and upon the area described on Exhibit A attached hereto and made a part hereof (the "Easement Area").

2. Grantee shall also be entitled to use temporary workspace as described and shown on Exhibit A (the "Temporary Workspace") to carry out the initial construction of the facilities, which rights shall include, but not be limited to, boring activities, clearing, leveling, temporary storage, and staging equipment and materials. The use of the Temporary workspace

will be for forty-six months from the start of construction and Grantee's right to utilize this Temporary Workspace will terminate and cease on the date of the end of the Grantee's facilities construction warranty period or at the end of the forty-six months whichever occurs first.

3. Grantee shall have the right to select the exact location of said Waterline and any future additional Waterlines within the Easement Area, and to do whatever may be requisite for the use and enjoyment of the rights herein granted, including the right of ingress and egress over Grantor's adjacent or additional lands to or from said Easement Area.

4. Grantor further agrees not to change the grade, remove dirt from the surface of the Easement Area or impound water over the Easement Area without the prior written approval of Grantee.

5. The aforesaid consideration paid from Grantee to Grantor includes any and all damages that may be sustained by the original construction of said Waterlines, including without limitation, cutting trees and damages to land, trees, buildings, fences, growing crops and grasses.

6. In relation to the Easement Area, Grantee has the right to trim, cut down or eliminate trees or shrubbery to the extent, in the sole judgment of Grantee as may be necessary to prevent possible present or future interference with the convenient operation or convenient inspection of said Waterlines and to remove possible present or future hazard to such Waterlines, and the right to remove or prevent the construction of any and all buildings, structures, reservoirs, or other obstructions on the Easement Area and to prevent activities on the Easement Area any of which, in the sole judgment of the Grantee may presently or in the future endanger or interfere with the efficiency, safety, convenient operation or convenient inspection of said Easement Area, Waterlines and appurtenances.

7. Grantor and Grantee agree that the failure to assert any right under this Waterline Easement shall not constitute a waiver of any other right hereunder. Further, it is hereby agreed that any delay by Grantee in asserting any right granted it in this Waterline Easement, regardless of the length of any such delay, shall not prevent Grantee from later asserting or otherwise enforcing that same right, including but not limited to the right to prevent or remove any encroachments within the Easement Area as provided in Paragraph 6 above.

8. Both Grantor and Grantee hereby represent and warrant that they have read and have fully understood the terms of this Waterline Easement, that they have had the opportunity to have same reviewed by an attorney, and that in entering into this Waterline Easement they are relying solely upon their independent review and the advice of their respective counsel. Further, Grantor and Grantee acknowledge that this Waterline Easement has been negotiated by the parties, and this Waterline Easement shall be construed as one prepared by the joint efforts of Grantor and Grantee and shall not be construed against either party as the drafter.

9. Grantor and Grantee shall be entitled forthwith to full and adequate relief by injunction and to all other legal and equitable remedies for the consequences of any breach of this Waterline Easement. If Grantor or Grantee institutes any litigation to enforce any of the terms, covenants, easements, or obligations set out in this Waterline Easement, the prevailing party in such litigation shall be entitled to collect court costs and reasonable attorneys' fees from the nonprevailing party.

10. Nothing contained herein shall be construed to make Grantor and Grantee partners or joint venturers or to render any of said parties liable for the debts or obligations of the other.

11. Notices or other communication hereunder shall be in writing and shall be sent certified or registered mail, return receipt requested, or by other national overnight courier company, or personal delivery to the address set forth herein. Notice shall be deemed given upon receipt or refusal to accept delivery. Each party may change from time to time their respective address for notice hereunder by like notice to the other party.

12. BY SIGNING THIS DOCUMENT EACH PARTY REPRESENTS AND AGREES THAT: (A) THIS DOCUMENT REPRESENTS THE FINAL AGREEMENT BETWEEN PARTIES WITH RESPECT TO THE SUBJECT MATTER HEREOF, (B) THERE ARE NO UNWRITTEN ORAL AGREEMENTS BETWEEN THE PARTIES, AND (C) THIS DOCUMENT MAY NOT BE CONTRADICTED BY EVIDENCE OF ANY PRIOR, CONTEMPORANEOUS, OR SUBSEQUENT ORAL AGREEMENTS OR UNDERSTANDINGS OF THE PARTIES.

TO HAVE AND TO HOLD the above described easements and rights unto the said Grantee, and Grantee's successors and assigns, until abandoned as provided for herein.

This instrument and covenants and agreements herein contained shall constitute covenants running with the land, binding upon Grantor, his heirs, legal representatives, successors and assigns, for the benefit of Grantee, and Grantee's successors and assigns.

Grantor hereby binds himself, his heirs, legal representatives and assigns to warrant and forever defend all and singular the above described easements and rights, unto the said Grantee, and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

It is hereby understood that the party securing this grant on behalf of Grantee is without authority to make any covenant or agreement not herein expressed.

CITY OF COLUMBIA, TENNESSEE

BY: CHARLES (CHAZ) M. MOLDER

Its: Mayor

STATE OF TENNESSEE

COUNTY OF MAURY

Personally appeared before me, the undersigned, a Notary Public in and for the State and County aforesaid, Charles (Chaz) M. Molder, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon his/her oath, acknowledged himself to be Mayor of the City of Columbia, Tennessee, a municipal corporation, the within bargainor, and who, being authorized so to do, acknowledged the execution of the foregoing instrument for the purposes therein contained and expressed by signing the name of the City by himself as Mayor and affixing the seal of the City, if such City has a seal.

Witness my hand at office, this ____ day of _____, 2024.

Notary Public

My Commission Expires: _____

EXHIBIT A

PUBLIC UTILITY EASEMENT
TAX MAP 89L, GROUP H, PARCEL 17.00
MAURY COUNTY, TENNESSEE

Located in the 9th Civil District of Maury County, Tennessee, being a portion of the City of Columbia property, as shown on Deed Book 331, Page 284 of the Register's Office for Maury County, Tennessee (ROMCT), and being more particularly described as follows:

Commencing at a concrete monument (found) in the easterly right-of-way line of North James Campbell Boulevard, having a Tennessee State Plane coordinate value of North: 472,062.44 US feet, East: 1,659,999.82 US feet (NAD83, 2011), thence with said right-of way, the following two (2) calls:

- 1) North 32° 06' 46" West 63.84 feet;
- 2) Along a curve to the right, having a radius of 912.93 feet, an arc length of 282.42 feet, and a chord bearing of North 18° 53' 16" West 281.30 feet, to the True Point of Beginning;

Thence, continuing with said right-of-way line, along a curve to the right, having a radius of 912.93 feet, an arc length of 55.38 feet, and a chord bearing of North 08° 17' 15" West 55.37 feet; Thence, severing said City of Columbia property, the following eight (8) calls:

- 1) South 82° 34' 31" East 87.49 feet;
- 2) South 26° 22' 09" East 412.60 feet;
- 3) South 72° 38' 06" East 80.18 feet;
- 4) South 75° 12' 43" East 41.51 feet;
- 5) North 80° 17' 17" East 77.92 feet;
- 6) North 55° 46' 39" East 39.98 feet;
- 7) North 41° 34' 46" East 329.73 feet;
- 8) North 64° 04' 46" East 323.65 feet, to the easterly line of said City of Columbia property and the west bank of the Duck River;

Thence, with said easterly line, South 17° 32' 25" East 50.54 feet; Thence, severing said City of Columbia property, the following eight (8) calls:

- 1) South 64° 04' 46" West 358.60 feet;
- 2) South 41° 34' 46" West 275.24 feet;
- 3) South 55° 46' 39" West 50.23 feet;
- 4) South 80° 17' 17" West 90.95 feet;
- 5) North 75° 12' 43" West 48.70 feet;
- 6) North 72° 38' 06" West 93.67 feet;
- 7) North 26° 22' 09" West 394.30 feet;
- 8) South 88° 00' 26" West 65.76 feet, to the Point of Beginning, containing in all 1.14 acres, more or less.

The description provided hereon was prepared by Stephen Vander Horst, TN RLS 3041, and is derived from an exhibit drawing by M2 Group, LLC entitled "Exhibit Sketch – Columbia Power and Water Systems – Tax Map 89L, Group H, Parcel 17.00", dated June 5, 2024, which is hereby incorporated by reference.

TEMPORARY CONSTRUCTION EASEMENT #1
TAX MAP 89L, GROUP H, PARCEL 17.00
MAURY COUNTY, TENNESSEE

Located in the 9th Civil District of Maury County, Tennessee, being a portion of the City of Columbia property, as shown on Deed Book 331, Page 284 of the Register's Office for Maury County, Tennessee (ROMCT), and being more particularly described as follows:

Commencing at a concrete monument (found) in the easterly right-of-way line of North James Campbell Boulevard, having a Tennessee State Plane coordinate value of North: 472,062.44 US feet, East: 1,659,999.82 US feet (NAD83, 2011), thence with said right-of way, the following three (3) calls:

- 1) North 32° 06' 46" West 63.84 feet;
 - 2) Along a curve to the right, having a radius of 912.93 feet, an arc length of 282.42 feet, and a chord bearing of North 18° 53' 16" West 281.30 feet;
 - 3) Along a curve to the right, having a radius of 912.93 feet, an arc length of 55.38 feet, and a chord bearing of North 08° 17' 15" West 55.37 feet, to the True Point of Beginning;
- Thence, continuing with said right-of-way line, along a curve to the right, having a radius of 912.93 feet, an arc length of 30.79 feet, and a chord bearing of North 05° 35' 00" West 30.79 feet; Thence, severing said City of Columbia property, the following six (6) calls:

- 1) South 82° 34' 31" East 92.40 feet;
- 2) South 26° 22' 09" East 321.99 feet;
- 3) South 72° 37' 51" East 153.50 feet;
- 4) North 80° 17' 17" East 185.83 feet;
- 5) North 41° 34' 46" East 257.40 feet;
- 6) North 64° 04' 46" East 294.84 feet, to the easterly line of said City of Columbia property and the west bank of the Duck River; Thence, with said easterly line, South 17° 32' 25" East 30.32 feet; Thence, severing said City of Columbia property, the following eight (8) calls:

- 1) South 64° 04' 46" West 323.65 feet;
- 2) South 41° 34' 46" West 329.73 feet;
- 3) South 55° 46' 39" West 39.98 feet;
- 4) South 80° 17' 17" West 77.92 feet;
- 5) North 75° 12' 43" West 41.51 feet;
- 6) North 72° 38' 06" West 80.18 feet;
- 7) North 26° 22' 09" West 412.60 feet;
- 8) South 82° 34' 31" West 87.49 feet, to the Point of Beginning, containing in all 1.12 acres, more or less.

The description provided hereon was prepared by Stephen Vander Horst, TN RLS 3041, and is derived from an exhibit drawing by M2 Group, LLC entitled "Exhibit Sketch – Columbia Power and Water Systems – Tax Map 89L, Group H, Parcel 17.00", dated June 5, 2024, which is hereby incorporated by reference.

TEMPORARY CONSTRUCTION EASEMENT #2
TAX MAP 89L, GROUP H, PARCEL 17.00
MAURY COUNTY, TENNESSEE

Located in the 9th Civil District of Maury County, Tennessee, being a portion of the City of Columbia property, as shown on Deed Book 331, Page 284 of the Register's Office for Maury County, Tennessee (ROMCT), and being more particularly described as follows:

Commencing at concrete monument (found) in the easterly right-of-way line of North James Campbell Boulevard, having a Tennessee State Plane coordinate value of North: 472,062.44 US feet, East: 1,659,999.82 US feet (NAD83, 2011); Thence, South 75° 07' 48" East 119.87 feet to the True Point of Beginning; Thence, severing said City of Columbia property, the following six (6) calls:

- 1) South 72° 38' 06" East 93.67 feet;
- 2) South 75° 12' 43" East 48.70 feet;
- 3) North 80° 17' 17" East 90.95 feet;
- 4) North 55° 46' 39" East 50.23 feet;
- 5) North 41° 34' 46" East 275.24 feet;
- 6) North 64° 04' 46" East 358.60 feet, to the easterly line of said City of Columbia property and the west bank of the Duck River; Thence, with said easterly line, South 17° 32' 25" East 20.22 feet; Thence, severing said City of Columbia property, the following seven (7) calls:

- 1) South 64° 04' 46" West 351.67 feet;
- 2) South 41° 34' 46" West 273.75 feet;
- 3) South 55° 46' 39" West 57.06 feet;
- 4) South 80° 17' 17" West 99.64 feet;
- 5) North 75° 12' 43" West 53.49 feet;
- 6) North 72° 38' 06" West 74.98 feet;
- 7) North 26° 22' 09" West 27.68 feet, to the Point of Beginning, containing in all 0.42 acres, more or less.

The description provided hereon was prepared by Stephen Vander Horst, TN RLS 3041, and is derived from an exhibit drawing by M2 Group, LLC entitled "Exhibit Sketch – Columbia Power and Water Systems – Tax Map 89L, Group H, Parcel 17.00", dated June 5, 2024, which is hereby incorporated by reference.

June 28, 2024

City of Columbia, Tennessee
c/o Tony Massey, City Manager
700 N. Garden Street
Columbia, TN 38401

**RE: Columbia Power and Water Systems
Community H2O Program – Offer to Purchase a Permanent Utility Easement and Temporary
Construction Easement
City of Columbia, Tennessee
Property Located at 200 Santa Fe Pike, Columbia TN 38401/Parcel ID 089L H 17.00**

Dear Mr. Massey:

As part of the Community H2O Program, the above referenced property has been identified and approved for a **permanent utility easement and temporary construction easement** by Columbia Power and Water Systems (CPWS). The easement property rights, on a portion of the 24 acres (1,045,440 SF) of land identified as PARCEL ID 089L H 17.00 of Columbia, TN. are needed in conjunction with the **Community H2O Program** for the purposes of the CPWS's long term water supply program.

The needed permanent utility easement and temporary construction easement property rights located on a portion of Parcel No. 089L H 17.00 have been valued according to established procedures consistent with legal requirements, and the Just Compensation for the easement has been determined to be \$116,800.00

Just Compensation is based upon a fair market value appraisal made by a qualified and competent State Licensed Appraiser. The appraisal approach used in this matter is the Sales Comparison approach.

Columbia Power and Water Systems does hereby make a firm offer of \$116,800.00 for the purchase of a permanent utility easement and temporary construction easement on Parcel 089L H 17.00. CPWS may require subordination agreements from all mortgage companies, certain lienholders, or with regard to other judgments and encumbrances as well as payment of property taxes. The LTL-Schock Group, serving as our representatives, will assist you in obtaining any subordination agreements that may be required.

Attached to this letter is a Summary Statement of the Basis for Just Compensation (**Attachment A**). The Summary explains the market value determination of the appraisal. This offer is contingent upon your ability to convey the easements to CPWS and approval and payment by CPWS.

A legal description survey of your property and easement is included with this letter as **Attachment B**. This legal description states the boundaries of your property, and the legal description therefore documents the exact site and location of your easement, needed by CPWS.

City of Columbia
Page 2

Please review the attached approved Offer of Just Compensation and associated documents. For any commitments and/or agreements to be considered valid, such commitments and/or agreements must be set forth in writing. A Letter of Acceptance (**Attachment C**) and a sample Purchase Agreement (**Attachment D**) is also included for your review.

Representatives from the LTL-Schock Group will continue to meet with you and will freely discuss with you any matters concerning the program requirements and potential benefits per the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA), if applicable.

It is very important to CPWS to serve as a local partner with property owner affected by this program. While CPWS possesses eminent domain authority to acquire the property rights needed for this project, it is our intention to work with property owners to come to an agreement that is beneficial to all parties. If negotiations fail, acquisition under eminent domain may be considered. An explanation of CPWS easement acquisition procedures can be found in the enclosed brochure.

Thank you for your continued support and interest in this program. Should you have any questions, please feel free to contact Ms. Eva Maples at (540) 589-3164.

Yours very truly,



Jonathan Hardin
President/CEO
Columbia Power and Water Systems

Enclosures: Attachment A: Summary Statement of the Basis for Just Compensation
Attachment B: Permanent Utility Easement and Temporary Construction Easement Survey Legal Description
Attachment C: Letter of Acceptance
Attachment D: Sample Purchase Agreement with Exhibit A: Easement Template Brochure

Cc: file

Receipt of this OFFER and Brochure is hereby acknowledged.

I understand that by signing below, I am acknowledging Offer receipt and **that my signature does not constitute an Offer acceptance.**

Received by:  _____

Date: 6-28-24

PARCEL NO. 089L H 17.00

Summary Statement of the Basis for Just Compensation

VALUE OF PERMANENT UTILITY EASEMENT to be acquired \$ 50,600.00
VALUE OF TEMPORARY CONSTRUCTION EASEMENT to be acquired \$ 66,200.00

TOTAL AMOUNT OFFERED \$ 116,800.00

LAND AND IMPROVEMENTS:

Parcel No.	Area	Interest Acquired
089L H 17.00	1.14 acres	Permanent Utility Easement
089L H 17.00	1.54 acres	Temporary Construction Easement

IMPROVEMENTS:

- | | | | |
|---|--|--|--|
| 1. The following items are considered as real property and are included in the above value: <i>None</i> | 2. The following items are considered as personal property and are <u>not</u> included in the above value: <i>None</i> | 3. The following items of real property are located outside the required R/W and are <u>not</u> included in the above value: <i>None</i> | 4. The following items are owned by others and are <u>not</u> included in the above value: <i>None</i> |
|---|--|--|--|

REMARKS: None

NOTES:

The amount of the offer as shown above:

1. is based on the just compensation for the property,
2. is not less than the fair market value of the property,
3. is the approved value of the property,
4. disregards any decrease or increase in the fair market value of the property caused by the project for which the property is being acquired, and
5. does not include any consideration or allowance for relocation costs

Definition of Fair Market Value

"Fair Market Value is the highest price estimated in terms of money which the property would bring if exposed for sale in the open market, allowing a reasonable time in which to find a purchaser buying with knowledge of all the uses and purposes for which it is adapted and for which it is capable of being used."

LETTER OF ACCEPTANCE

PROGRAM NAME: COLUMBIA POWER AND WATER SYSTEMS
COMMUNITY H2O PROGRAM

SUBJECT: PERMANENT UTILITY EASEMENT
TEMPORARY CONSTRUCTION EASEMENT
200 SANTA FE PIKE
COLUMBIA, TENNESSEE
PARCEL 089L H 17.00

OWNER: CITY OF COLUMBIA, TENNESSEE

(AS SHOWN ON THE PRELIMINARY TITLE OPINION)

I (We), _____, hereby accept the COLUMBIA POWER AND WATER SYSTEMS' offer dated June 28, 2024 of \$116,800.00 for the permanent utility easement and temporary construction easement acquisition on the property referenced above. Pursuant to this acceptance, I am (We are) in the process of the following:

- ☐ Authorizing CPWS and its representatives to contact my lienholder(s) for curative work on my title, if needed.
- ☐ Obtaining legal services of _____ phone _____ for assistance with curing title issues with property.

I am (We are) accepting Columbia Power and Water System's offer to purchase the above referenced permanent utility easement and temporary construction easement.

SIGNED: _____

DATE: _____

SIGNED: _____

DATE: _____

ATTACHMENT D: PURCHASE AGREEMENT

NAME OF OWNER _____ PHONE _____

NAME OF OWNER _____ PHONE _____

PROPERTY ADDRESS _____ MAP & PARCEL _____

CITY, STATE, ZIP _____

The parties to this Purchase Agreement ("Agreement") are Columbia Power and Water Systems (CPWS) and _____ and _____ ("Owner").

The date of this Agreement is _____, 20____.

IN CONSIDERATION OF the benefits stated in this Agreement which are acknowledged to be adequate consideration, the parties agree as follows:

1. **Property.** Owner owns real property located at "address" pursuant to a Deed recorded among the Land Records of Maury County, Tennessee in Book _____, Page _____, and which is described as follows (the "Property"):

<<Legal Description attached>>

2. **Permanent Utility Easement and Temporary Construction Easement Value.** For the purposes of this Community H2O Program, it is agreed the total value of the Easement is \$ _____. This amount is to be the "Fair Market Value" for the Easements and was based upon the appraisal made on the above referenced property. Owner acknowledges that he/she has carefully reviewed all information relative to this value and is satisfied that it is a true and reasonable appraisal of the Easements.
3. **Title.** The Owner understands that CPWS shall obtain title work on my property prior to closing to determine ownership and liens impacting the property. I further understand that all title holders will have to sign the easement as a condition of this agreement and that the lienholders will have to subordinate their interests to the easement.
4. **Title and Closing Costs** Owner acknowledges that CPWS will be responsible for the costs of title search, document preparation and closing.
5. **Easements.** That for and in consideration of the promises and the sums of money paid and agreed to be paid by the CPWS to the Owner, the Owner agrees to sell and CPWS agrees to buy a permanent utility easement and a temporary construction easement over the Property. The permanent utility easement is attached hereto as **Exhibit A**.
6. **Correspondence** Owner must promptly provide CPWS a copy of any and all other correspondence or documentation related to the lienholder subordination and/or consent of lienholder, if applicable.
7. **Contingencies** This Purchase Agreement is contingent on the owner obtaining all subordinations agreements from lienholders as necessary; sufficient project funding as determined in CPWS's sole discretion; and the owner being able to deliver good and marketable title to the property interest to be conveyed pursuant to this Agreement.

ATTACHMENT D: PURCHASE AGREEMENT

8. **Permanent Utility Easement and Temporary Construction Easement Agreement.** Owner understands the Easements shall not be subordinate to any mortgages or security devices affecting the property. Owner acknowledges that Owner has reviewed and approved a copy of the Easements.
9. **Closing Date** Owner acknowledges that the date of closing shall be established at an agreed upon date between the Owner and CPWS. This date should allow for a sufficient length of time, following the execution of this Purchase Agreement, to obtain necessary subordination agreements from lienholders necessary. The Closing shall take place on TBD.
10. **Proceeds to Owner** Compensation shall be delivered to Owner upon Closing and the Owner's conveyance to CPWS of a Permanent Utility Easement and Temporary Construction Easement in a form acceptable to CPWS and the execution of the Easement by CPWS.
11. **Terms and Termination.** This Agreement shall be effective on the date of execution below. CPWS may terminate this Agreement with or without reason at any time prior to closing upon delivery of written notice to Owner.
12. **Notices.** Any notice or other communication to be given under the terms of this Agreement must be in writing and, unless otherwise specified in this Agreement, will be deemed given upon the earlier of its delivery in person or two (2) days after its deposit in the U.S. mails, first class, postage prepaid and properly addressed to Owner at the Property or to CPWS at:

Jonathan Hardin, President/ CEO
Columbia Power and Water Systems
201 Pickens Lane
Columbia, TN. 38402

or to another address as either party shall advise the other in writing from time to time.

13. **Tennessee law.** The provisions of this Agreement shall be governed by Tennessee law.

DATED this _____ day of _____, 20____.

OWNER(S)

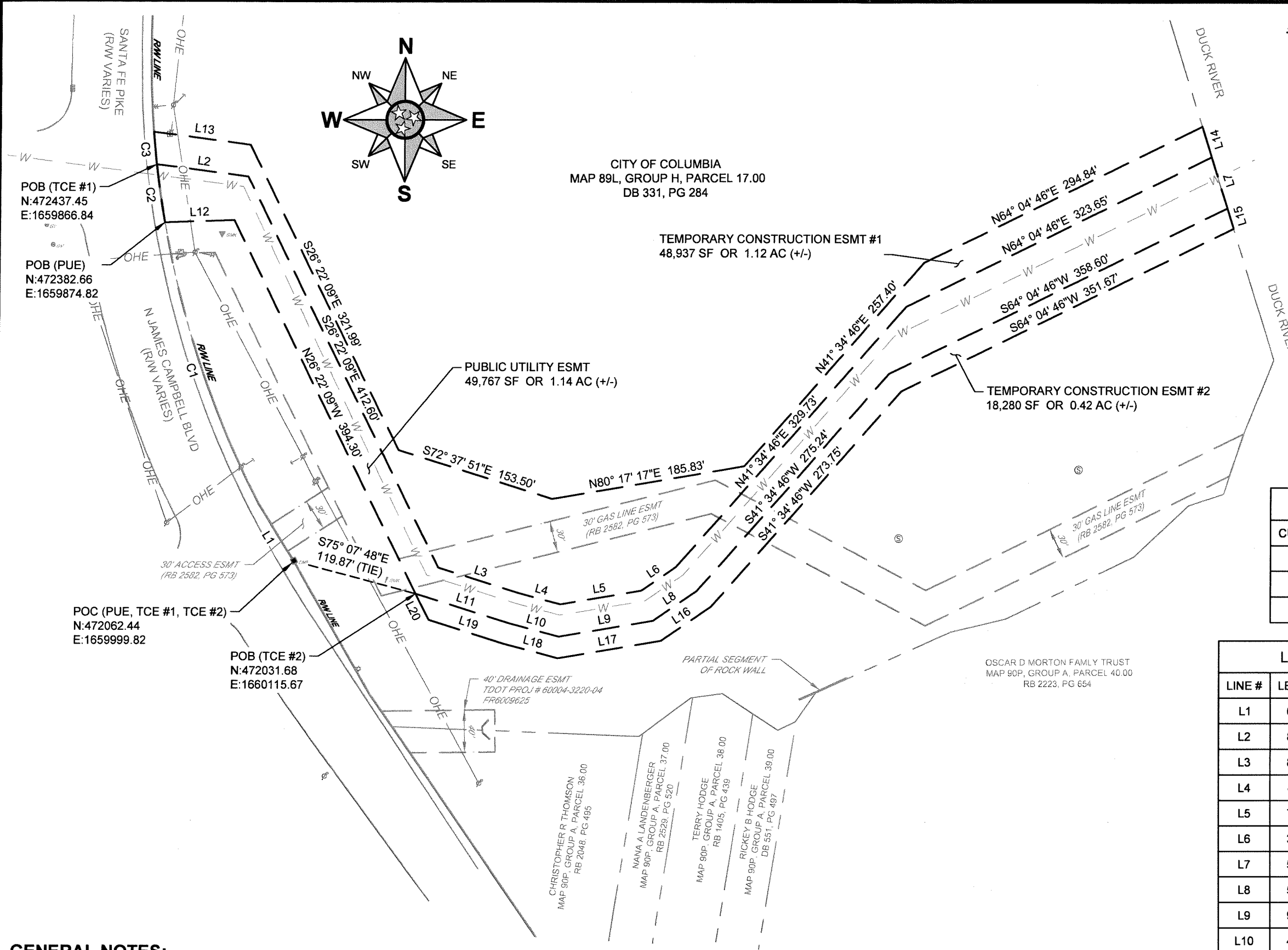
DATE

Columbia Power and Water Systems

DATE

Title: _____

By: _____



LEGEND:

---	EXISTING ADJACENT PROPERTY LINE
---	EXISTING RIGHT-OF-WAY
---	EASEMENT LINE
W	PROPOSED WATER LINE
OHE	OVERHEAD ELECTRIC LINE
o	EXISTING CHAIN LINK FENCE
■	CONCRETE MONUMENT FOUND (CMF)
⊙	SANITARY MANHOLE
▼	GAS LINE MARKER
⊕	GAS BOX (GAS VALVE)
⊘	POWER POLE
→	GUY WIRE
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
PUE	PUBLIC UTILITY EASEMENT
TCE	TEMPORARY CONSTRUCTION EASEMENT

CURVE TABLE				
CURVE #	LENGTH	RADIUS	CHORD BRNG	CHORD LENGTH
C1	282.42	912.93	N18° 53' 16"W	281.30
C2	55.38	912.93	N8° 17' 15"W	55.37
C3	30.79	912.93	N5° 35' 00"W	30.79

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	63.84	N32° 06' 46"W
L2	87.49	S82° 34' 31"E
L3	80.18	S72° 38' 06"E
L4	41.51	S75° 12' 43"E
L5	77.92	N80° 17' 17"E
L6	39.98	N55° 46' 39"E
L7	50.54	S17° 32' 25"E
L8	50.23	S55° 46' 39"W
L9	90.95	S80° 17' 17"W
L10	48.70	N75° 12' 43"W

LINE TABLE		
LINE #	LENGTH	DIRECTION
L11	93.67	N72° 38' 06"W
L12	65.76	S88° 00' 26"W
L13	92.40	S82° 34' 31"E
L14	30.32	S17° 32' 25"E
L15	20.22	S17° 32' 25"E
L16	57.06	S55° 46' 39"W
L17	99.64	S80° 17' 17"W
L18	53.49	N75° 12' 43"W
L19	74.98	N72° 38' 06"W
L20	27.68	N26° 22' 09"W

GENERAL NOTES:

- THE PURPOSE OF THIS EXHIBIT DRAWING IS TO DEPICT A PERMANENT UTILITY EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT THAT WILL BENEFIT COLUMBIA POWER AND WATER SYSTEMS (CPWS).
- BEARINGS ARE BASED ON THE TENNESSEE STATE PLANE COORDINATE SYSTEM (NAD83, 2011).
- ALL DEED BOOK AND PLAT REFERENCES PERTAIN TO THE REGISTER'S OFFICE FOR MAURY COUNTY, TENNESSEE.



P.O. BOX 2543
BRENTWOOD, TN 37024
M2GROUP.LLC.COM

EXHIBIT SKETCH
COLUMBIA POWER AND WATER SYSTEMS
TAX MAP 89L, GROUP H PARCEL 17.00
UTILITY & CONSTRUCTION EASEMENTS
9TH CIVIL DISTRICT
COLUMBIA, MAURY COUNTY, TENNESSEE

DATE 6/5/2024
PROJECT NO.: 23-004
SHEET NO.
EX-01
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