

**TITLE 14****ZONING AND LAND USE CONTROL****CHAPTER**

1. MUNICIPAL PLANNING COMMISSION.
2. ZONING ORDINANCE.
3. SIGN REGULATIONS.

**CHAPTER 1****MUNICIPAL PLANNING COMMISSION****SECTION**

- 14-101. Creation and membership.
- 14-102. Organization, powers, duties, etc.

**14-101. Creation and membership.** Pursuant to the provisions of Tennessee Code Annotated, § 13-4-101 there is hereby created a municipal planning commission, hereinafter referred to as the planning commission. The planning commission shall consist of eleven (11) members; one (1) of these shall be the mayor or a member of the board of commissioners designated by the mayor. The other ten (10) shall be appointed by the mayor, only one (1) of whom may be a member of the board of commissioners. All members of the planning commission shall serve as such without compensation. The terms of the ten (10) members appointed by the mayor shall be for four (4) years each. The term of the mayor or the mayor's designee from the board of commissioners shall run concurrently with their board of commissioners' term of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the mayor. (Ord. #06-688, Dec. 2006, as amended by Ord. #12-773, March 2012, and replaced by Ord. #19-963, Jan. 2020 *Ch4\_1-23-20*)

**14-102. Organization, powers, duties, etc.** The planning commission shall be organized and shall carry out its powers, functions, and duties in accordance with all applicable provisions of Tennessee Code Annotated, title 13. (2000 Code, § 14-102)

## CHAPTER 2

### ZONING ORDINANCE

#### SECTION

- 14-201. Provisions relating to construction of language and definitions.
- 14-202. Use classification.
- 14-203. Application of regulations.
- 14-204. Establishment of districts and provisions for official zoning map.
- 14-205. Residential district regulations.
- 14-206. Commercial district regulations.
- 14-207. Industrial district regulations.
- 14-208. Supplementary district regulations.
- 14-209. Floodplain districts.
- 14-210. Planned unit development district regulations.
- 14-211. Performance standards.
- 14-212. Provisions governing nonconforming uses and nonconforming buildings or other structures.
- 14-213. Administration and enforcement.
- 14-214. Legal status provisions.

**14-201. Provisions relating to construction of language and definitions.** (1) Intent and purpose. This ordinance is enacted pursuant to Tennessee Code Annotated, title 13 for the following purposes:

- (a) To promote and protect the public health, safety, morals, comfort, convenience, and general welfare of the people;
- (b) To divide the city into zones and districts restricting and regulating therein the location, construction, reconstruction, alteration, and use of buildings, structures, and land for residence, business, commercial, manufacturing, and other specified uses;
- (c) To protect the character and maintain the stability of residential, business, commercial, and manufacturing areas within the city, and to promote the orderly and beneficial development of such areas;
- (d) To provide adequate light, air, privacy, and convenience of access to property;
- (e) To regulate the intensity of open spaces surrounding buildings that is necessary to provide adequate light and air and protect the public health;
- (f) To establish building lines and the location of buildings designated for residential, business, commercial, manufacturing, or other uses within such lines;
- (g) To fix reasonable standards to which buildings or structures shall conform;

(h) To prohibit uses, buildings or structures which are incompatible with the character of development or the permitted uses within specified zoning districts;

(i) To prevent such additions to, and alterations or remodeling of, existing buildings or structures as would not comply with the restrictions and limitations imposed hereunder;

(j) To limit congestion in the public streets and so protect the public health, safety, convenience, and general welfare by providing for the off-street parking of motor vehicles and for the loading and unloading of commercial vehicles;

(k) To provide protection against fire, explosion, noxious fumes, and other hazards in the interest of the public health, safety, comfort, and general welfare;

(l) To prevent overcrowding of land and undue concentration of structures so far as is possible and appropriate in each district by regulating the use and the bulk of buildings in relation to the land surrounding them;

(m) To conserve the taxable value of land and the buildings thereon throughout the city;

(n) To provide for the gradual elimination of those uses of land, buildings and structures which do not conform to the standards of the districts in which they are respectively located and which are adversely affecting the development and taxable value of property in each district;

(o) To provide for condemnation of such nonconforming buildings and structures and of land as the board of commissioners shall determine is necessary or appropriate for the rehabilitation of the area blighted by such buildings or structures;

(p) To define and limit the powers and duties of the administrative officers and bodies as provided herein; and

(q) To include in the general purposes additionally the specific purposes stated in the various chapters throughout this ordinance.

(2) Rules for construction of language. In the construction of this title, the rules and definitions contained in this section shall be observed and applied, except when the context clearly indicates otherwise:

(a) The particular shall control the general;

(b) The word "shall" is always mandatory and not discretionary;

(c) The word "may" is permissive;

(d) The word "lot" shall include the words "piece" or "parcel";

(e) The word "structure" includes all other structures, or parts thereof, of every kind regardless of similarity to buildings; and the phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," "maintained for," and "occupied for";

(f) In the case of any difference of meaning or implication between the text of this title and any caption, illustration or table the text shall control;

(g) The word "permitted" or words "permitted as of right," means permitted without meeting the requirements for a conditional use permit;

(h) The words "conditionally permitted" or "permitted by conditional use permit" mean permitted subject to the requirements for a conditional use by special permit pursuant to § 14-213 of this title, and all other applicable provisions;

(i) Words used in the present tense shall include the future, and words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary;

(j) Unless the context clearly indicates to the contrary, conjunctions shall be interpreted as follows:

(i) "And" indicates that all connected items, conditions, provisions or events shall apply;

(ii) "Or" indicates that any of the connected items, conditions, provisions, or events shall apply;

(iii) "Either...or" indicates that the connected items, conditions, provisions or events shall apply single but not in combination; and

(k) All public officials, bodies, and agencies to which reference is made are those of the City of Goodlettsville, Tennessee.

(l) "Food truck" means a vehicle from which edible food products are cooked, prepared or assembled with the intent to sell such items to the general public, provided further that food trucks may also sell other edible food products and beverages that have been prepared or assembled elsewhere.

(m) "Mobile food service vehicle" means a food truck, canteen truck or ice cream truck and includes any portable unit that is attached to a motorized vehicle and intended for use in the operation of a food truck, canteen truck or ice cream truck.

(3) Definitions. Except where definitions are specifically included in various sections of this title words in the text or tables of this title shall be interpreted in accordance with the provisions set forth in this section. Where words have not been defined, the standard dictionary definition shall prevail.

(a) "Accessory." An activity or structure that is customarily associated with and is appropriately incidental and subordinate to a principal activity and/or structure and located on the same zone lot, except as provided for under the provisions of accessory off street parking.

(b) "Activity." The performance of a function or operation, which constitutes the use of land.

(c) "Adult entertainment." Any exhibition of any adult-oriented motion picture, live performance, display or dance of any type, which has a significant or substantial portion of such performance, any actual or simulated performance of specified sexual activities, including removal of articles of clothing or appearing unclothed.

(d) "Adult-oriented establishment." Any commercial establishment, business or service, or portion thereof, which offers, as its principal or predominant stock and trade, sexually oriented or any combination or form thereof, whether printed, filmed, recorded or live and which restricts or purports to restrict admission to adults or any class of adults. "Adult-oriented establishment" includes but is not limited to:

(i) "Adult book stores" any corporation, partnership or business of any kind which has as its principal or predominant stock or trade, books, magazines or other periodicals and which offers, sells, provides or rents for a fee:

(A) Any sexually-oriented material which is available for viewing by patrons on the premises by means of the operation of movie machines or slide projectors; or

(B) Any sexually-oriented material which has a substantial portion of its contents devoted pictorial depiction of sadism, masochism or bestiality; or

(C) Any sexually-oriented material which has as its principal theme the depiction of sexual activity by, or lascivious exhibition of, the uncovered genitals, pubic region or buttocks of children who are or appear to be under eighteen (18) years of age.

(ii) "Adult theatres" an enclosed building used for presenting film presentations which are distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities for observation by patrons therein; and

(iii) "Adult peep shows" includes all adult show, exhibitions, performances or presentations which contain acts of depictions of specified sexual activities.

(iv) "Specified sexual activities" means activities, services or performances that include the following sexual activities and/or the exhibition of the following anatomical areas:

(A) Human genitals in a state of sexual stimulation or arousal;

(B) Acts of human masturbation, sexual intercourse, sodomy, cunnilingus, fellatio or any excretory function, or representation thereof; or

(C) Fondling or erotic touching of human genitals, pubic region, buttocks or female breasts.

(v) "Sexually-oriented material" means any book, article, magazine, publication or written matter of any kind, drawing, etching, painting, photograph, motion picture film or sound recording, which depicts sexual activity, actual or simulated, involving human beings or human beings and animals, or which exhibit uncovered human genitals or pubic region in a lewd or lascivious manner or which depicts human male genitals in a discernibly turgid state, even if completely covered.

(e) "Alley." A public way intended to provide only secondary vehicular access to abutting properties.

(f) "Attached." Joined together by party wall(s).

(g) "Bar." A place of business where alcoholic beverages are sold to be consumed on the premises and where meals are served as well as drinks.

(h) "Basement." A story where the floor is more than twelve inches (12"), but not more than one-half (1/2) of its story height, below the average level of the adjoining ground (as distinguished from a "cellar" which is a story more than one-half (1/2) below such level).

(i) "Bed and breakfast homestay." Based on the definition of Tennessee Code Annotated, § 68-14-502(1)(B) is a building, private home, inn or other unique residential facility offering bed and breakfast accommodations and one (1) daily meal and having less than four (4) guest rooms furnished for pay, with guests staying not more than fourteen (14) days, and where the owner resides on the premises or property. Guest rooms shall be established and maintained distinct and separate from the owner's quarters. Such building shall be considered as a one-family detached dwelling or an extension of the one-family dwelling with detached accessory quest buildings under the provisions of item (I) for purposes of use classification and shall be permitted only through a conditional use permit issued by the board of appeals.

(j) "Building." A structure permanently affixed to the ground, with a roof, and intended for the shelter or enclosure of persons or property. Where roofed structures are separated from each other by party walls having no openings for passage, each portion so separated shall be considered a separate building.

(k) "Brew pub." A restaurant at which beer is brewed on site in small batches for on-premise consumption.

(l) "Bulk." Describes the size of buildings or other structures, and their relationship to each other and to open areas and lot lines, and therefore includes:

(i) The size (including height and floor area) of buildings or other structures;

(ii) The area of the zoning lot upon which a residential building is located, and the number of dwelling units within such buildings in relation to the area of the zoning lot;

(iii) The location of exterior walls of buildings or structures in relation to lot lines, to other walls of the same building, to legally required windows, or to other structures; and

(iv) All open areas relating to buildings or other structures and their relationship thereto.

(m) "Cellar." (See basement.)

(n) "Common open space." A parcel or parcels of land and/or an area of water within the site designated as a planned unit development to be permanently preserved and designed and intended for use or enjoyment of the occupants of said development or set aside as permanent undeveloped open space. The open space this may contain such complementary structures and improvements as necessary and appropriate for the benefit and enjoyment of the occupants of such development and may be developed as a golf course with appropriate ancillary uses.

(o) "Commercial community gardening facility." An individual or group of individuals growing and harvesting food crops and/or non-food, ornamental crops, such as flowers, for commercial sale or for personal or group use, consumption, or donation. Commercial community gardens may be divided into separate plots for cultivation by one (1) or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

(p) "Completely enclosed." Refers to a building or other structure having a roof, and separated on all sides from the adjacent open area or from other buildings or other structures, by exterior walls or party walls, pierced only by windows or entrance and exit doors normally provided for persons, goods or vehicles.

(q) "Conditional use." A conditional use is a use that would not be appropriate generally or without restriction throughout the zoning division or districts 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. Such uses may be permitted in such zoning division or district as conditional uses, if specific provisions for such use are made in this ordinance. For the purposes of this ordinance, conditional uses shall be construed as synonymous with special exceptions as authorized by Tennessee Code Annotated, § 13-7-206.

(r) "Court." An open, unoccupied space other than a yard, on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.

(s) "Curb level." The mean of the elevations of the side lot lines extended to the street line.

(t) "Development area per dwelling unit." The net amount of land area of a single zone lot required for each dwelling unit to be placed on the zone lot. (May also be referred to as density).

(u) "Duplex." See dwelling, two-family detached.

(v) "Dwelling." A building, or portion thereof, designed or used exclusively for residential occupancy, but not including transient occupancy.

(w) "Dwelling, attached." A building containing three (3) or more one-family dwelling units on individual lots with each dwelling unit being separated from the others by a party wall

(x) "Dwelling detached." A building located on a single zone lot containing not more than two (2) dwelling units surrounded by yards or open area on the same zone lot.

(y) "Dwelling, mobile home." A one (1) section manufactured home on a single chassis designed to be occupied as a single living unit.

(z) "Dwelling, multi-family." A building containing three or more dwelling units. The term includes cooperative apartments, condominiums and the like.

(aa) "Dwelling, one-family." A building containing only one (1) dwelling unit. The term is general, including such specialized forms as one-family detached, one-family semi-detached and one-family attached houses. For regulatory purposes, the term is not to include mobile homes, travel trailers, housing mounted on self-propelled or drawn vehicles, tents, or other forms of portable or temporary housing.

(bb) "Dwelling, one-family detached." A building containing one (1) dwelling unit located on an individual lot. This shall include multi-sectional manufactured homes, provided that such homes shall have the same general appearance as site built homes in the area, including a roof with a minimum pitch of 5/12, an enclosed foundation, and base foundation landscaping. Such foundation shall not include exposed concrete block.

(cc) "Dwelling, semi-detached." A building containing not more than two (2) dwelling units, attached at a side to not more than one other building containing not more than two (2) dwelling units by a party wall without openings with each building having a separate lot with dimensions meeting regulations for the district.

(dd) "Dwelling, two-family detached." A detached residential building containing two (2) dwelling units, designed for occupancy by not more than two (2) families, also known as a duplex.

(ee) "Dwelling unit." A room or rooms connected together constituting a separate independent living facility for one (1) family only,

including permanent living, sleeping, eating, cooking, bathing and sanitary facilities.

(ff) "Extended stay hotel or motel." A hotel or motel as defined in which the guest rooms have separate sleeping and living areas and may include limited kitchen facilities.

(gg) "Family." One (1) person, or two (2) or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, no such dwelling unit shall contain over five (5) persons, further provided that domestic servants and temporary nonpaying guests may be accommodated. Family shall not be construed to include a fraternity, sorority, club, or institutional group. Provided that family shall include eight (8) or fewer unrelated, mentally retarded, mentally handicapped, or physically handicapped persons plus two (2) additional persons acting as house parents or guardians who need not be related.

(hh) "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 principal or accessory buildings or the center lines of party walls separating such buildings or portions thereof, or within lines drawn parallel to and two feet (2') within the roof line of any building or portion thereof without walls, but excluding the following:

(i) Areas used for off-street parking spaces or loading berths and driveways and maneuvering aisles relating thereto where required in this title; and

(ii) In the case of non-residential facilities: arcades, porticoes, and similar open areas which are located at or near street level, which are accessible to the general public, and which are not designed or used as sales, display, storage, service, or production areas.

(ii) "Floor area ratio." The total floor area on a zone lot, divided by the lot area of that zone lot. (For example, a building containing twenty thousand (20,000) square feet of floor area on a zone lot of ten thousand (10,000) square feet has a floor area ratio of (2.0).

(jj) "Gross area." An area of land which is inclusive of all land uses and streets, and other public areas located within the development.

(kk) "Hazardous occupancy." The use of a building or any part thereof, that involves the manufacture, use, or storage of highly combustible, flammable, or explosive materials or materials that constitute a high fire hazard and further defined as a type "H" occupancy in the ICC International Building Code, 2006 edition chapter 3, section 307.

(ll) "Height." The vertical distance measured from the highest point of a structure (but excluding HVAC systems on roofs) to the average finished grade across the front of the structure.

(mm) "Home occupations." An accessory activity of a non-residential nature which is performed within the dwelling unit or an accessory structure thereto and which is incidental to the residential use of the property and subject further to the supplemental provisions contained in § 14-208.

(nn) "Hotel." An establishment providing transient lodging which includes a twenty-four (24) hour front desk attendant, restaurant, food service, room service, laundry and dry cleaning service, meeting rooms, health club or swimming pool, and concierge/guest services and in which the guest rooms are accessible from an indoor corridor.

(oo) "Incidental alterations":

(i) Changes or replacements in the nonstructural parts of a building or other structure without limitations to the following examples:

(A) Alterations of interior partitions to improve livability in a nonconforming residential building, provided that no additional dwelling units are created;

(B) A minor addition to the exterior of a residential building, such as an open porch;

(C) Alterations of interior non-load-bearing partitions in all other types of buildings or other structures;

(D) Replacement of, minor change in, capacity of utility pipes, ducts or conduits; or

(ii) Changes or replacements in the structural parts of a buildings or other structure, limited to the following examples or others of similar character or extent:

(A) Making windows or doors in exterior walls;

(B) replacement of building facades having non-load-bearing capacity

(C) Strengthening the floor load-bearing capacity, in not more than ten percent (10%) of the total floor area, to permit the accommodation of specialized machinery or equipment.

(pp) "Land with incidental improvements." A tract of land which contains improvements including buildings or other structures having a total assessed valuation of four thousand dollars (\$4,000.00) or less.

(qq) "Landowner." 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 fifty (50) years in duration, or other person having

an enforceable proprietary interest may be considered a "landowner" for the purpose of this title.

(rr) "Landscaping." The planting and maintenance of trees, shrubs, lawns, and other vegetative ground cover or materials, provided that terraces, fountains, retaining walls, street furniture, sculptures, or other art objects, and similar accessory features may be included as landscaping if integrally designed.

(ss) "Lot." For purposes of this title, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street.

(tt) "Lot area." The entire area of a zone lot.

(uu) "Lot area per dwelling unit." That portion of the lot area required for each dwelling unit located on a zone lot. This may also be known as the development area per dwelling unit.

(vv) "Lot coverage." That portion of a zone lot which when viewed directly from above, could be covered by a building or any part of a building.

(ww) "Lot frontage." The front of a lot shall be construed to be the portion nearest the street. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under yards.

(xx) "Lot line." A boundary of a zone lot.

(yy) "Lot measurements":

(i) Depth of a lot shall be considered to be the distance from the midpoint of the front lot line to the midpoint of the rear lot line.

(ii) Width of a lot shall be considered to be the distance along a straight line connecting the side lots lines measured across the lot at the point of the required front yard setback.

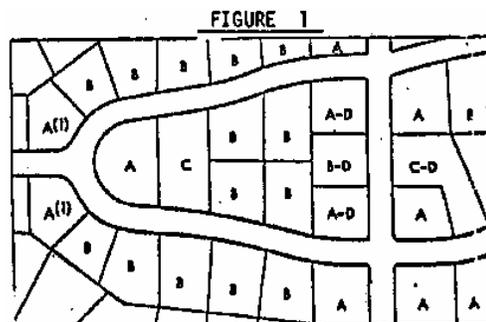
(zz) "Lot of record." A lot which is part of a subdivision recorded in the office of the county recorder, or a lot or parcel described by metes

and bounds, the which has been so

(aaa) "Lot diagram (Figure 1) which illustrates terminology ordinance with reference interior lots, reversed and through lots;

description of recorded.

The follows used in this to corner lots, frontage lots



In the diagram, A=corner lot, defined as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five degrees ( $135^{\circ}$ ). See lots marked a (1) in the diagram.

B=interior lot, defined as a lot other than a corner lot with only one (1) frontage of a street.

C=through lot, defined as a lot other than a corner lot with frontage on more than one street. Through lots abutting two (2) streets may be referred to as double frontage lots.

D=reversed frontage lot, defined as a lot on which the frontage is at right angles or approximately right angles (interior angle less than one hundred thirty-five degrees ( $135^{\circ}$ )) to the general pattern in the area. A reversed frontage lot may also be a corner lot (A-D in the diagram), an interior lot (B-D) or through lot (C-D).

(bbb) "Master plan." Used within the context of the planned unit development provisions, master plan refers to either a preliminary plan, which may be approved by the Goodlettsville Municipal/Regional Planning Commission, or a final plan, which may be approved by the Goodlettsville Municipal/Regional Planning Commission. The "master plan" shall mean the proposal for the development of a planned unit development including, but not limiting to, the requirements for a preliminary plan as stipulated in this title and those for a final plan as stipulated in this title.

(ccc) "Mobile home." (See dwelling, mobile home.)

(ddd) "Mobile home park." A development which is designed and constructed to accommodate mobile homes.

(eee) "Mobile home space." A designated area within a mobile home park for the exclusive use of the occupants of a single home.

(fff) "Mobile home stand." That part of an individual mobile home space which has been reserved for the placement of the mobile home.

(ggg) "Motel." An establishment providing transient lodging which includes a twenty-four (24) hour front desk attendant, room service, may or may not include restaurants but no in-room food preparation and in

which the guest rooms are accessible from outdoor parking areas or walkways and are rented on a less than monthly basis.

(hhh) "Non-complying":

(i) Any lawful building or other structure which does not comply with any one (1) or more of the applicable bulk regulations, or

(ii) Any lawful use other than a nonconforming use, which does not comply with any part of any one (1) or more of the applicable regulations pertinent to:

(A) Location along district boundary;

(B) Signs; or

(C) Accessory off-street parking and loading; either on the effective date of this ordinance or as a result of any subsequent amendment.

(iii) Any lot of record which, at the time of adoption of this ordinance, does not contain sufficient lot area to meet the area requirements for the district in which it is located.

(iii) Non-conforming use. A use of a building or other structure or of a tract of land which does not conform to any one (1) or more of the applicable use regulations of the district in which it is located, either on the effective date of this ordinance or as a result of any subsequent amendment.

(jjj) "Overall density." The dwelling units per gross acre of the total area within a residential development.

(kkk) "Party wall." A wall on an interior lot line separating two (2) individual dwelling units which are attached at that wall and which is constructed as a fire wall extending from the footings through the roof without openings and would prohibit the spread of fire from one dwelling unit to another.

(lll) "Person." An individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

(mmm) "Planned unit development." A development of land under unified control to be planned and developed as a whole in a single development operation or a definitely programmed series of phases. A Planned Unit Development (PUD) includes all principal and accessory structures and uses related to the character of the development and is built according to general and detailed plans for all buildings, streets, utilities, drainage facilities, lots, building locations and landscaping. The development may include areas, facilities and improvements for common use and enjoyment that are and will continue to be privately-owned and maintained.

(nnn) "Principal activity." An activity which fulfills a primary function of an establishment, institution, household, or other entity.

(ooo) "Required yard." That portion of a zone lot that is required by the specific district regulations to be open from the ground to the sky and may contain only explicitly listed obstructions.

(ppp) "Residence." A building or part of a building containing one (1) or more dwelling units or rooming units, including one-family or two-family houses, multiple dwellings, boarding or rooming houses, or apartment hotels. However, residences do not include:

(i) Such transient accommodations as transient hotels, motels, tourist homes, or similar establishments, or

(ii) Dormitories, fraternity or sorority houses, monasteries, or convents, or similar establishments containing group living or sleeping accommodations, or

(iii) 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

(iv) In a mixed building, that part of the buildings used for a non-residential uses, except uses accessory to residential use.

(qqq) "Rooming unit." A unit of occupancy of semi-permanent residential activity.

(rrr) "Semi-permanent residential establishment." An establishment where lodging is provided for compensation partly on a monthly or longer basis and partly for a shorter time period, but excluding institutional living arrangements involving the provision of a specific kind of forced residence, such as nursing homes, orphanages, half-way houses, asylums and prisons.

(sss) "Setback line." A line running parallel to the street which establishes the minimum distance the principal building must be setback from the street line.

(ttt) "Single ownership." Means a proprietary interest of a landowner as defined herein.

(uuu) "Single Room Occupancy (SRO) residential facility." An establishment providing multiple single room rental units with or without cooking facilities on a monthly or longer basis. These facilities shall be considered to be transient habitation for use; provided however, that due to the duration of stay of the rentals, for zoning purposes an SRO shall be classified as a residential activity.

(vvv) "Story." A portion of a building between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, the space between such floor and the ceiling next above it, provided that the following shall not be deemed a story:

(i) A basement or cellar if the finished floor level directly above is not more than six feet (6') above the average adjoining elevation of finished grade; or

(ii) An attic or similar space under a gable, hip, or gambrel roof, where the wall plates of any exterior walls are not more than two feet (2') above the floor of such space; and further provided, that a story shall not exceed fourteen feet (14') between floors.

(www) "Street." A publicly maintained right-of-way, other than an alley, which affords a primary means of access to abutting property.

(xxx) "Street line." A lot line dividing a lot from an abutting street.

(yyy) "Structure." An object constructed or installed by man, including but not limited to buildings, signs, towers, smokestacks, and overhead transmission lines.

(zzz) "Tourist oriented limited manufacturing." Limited scale manufacturing activities including the processing, assembling, packaging, treatment, or fabrication of beverage and food products, clothes, furniture, furnishings, and similar uses oriented toward tourist retail sales and services and the facility shall include on-site retail sales and services of the products manufactured at the facility.

(aaaa) "Use." The performance of a function or operation which constitutes the use of land.

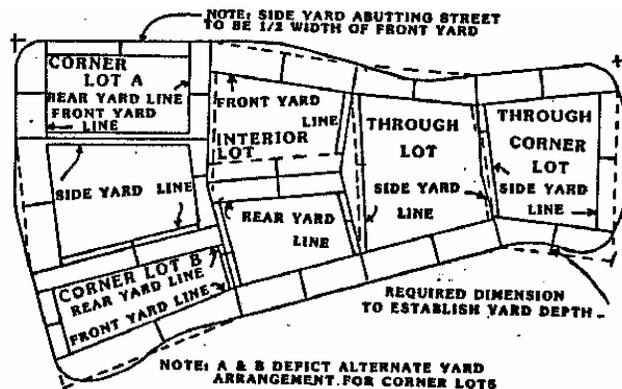
(bbbb) "Use and occupancy permit." A written permit issued by the codes administrator required before occupying or commencing to use any building or other structure or any zone lot.

(ccc) "Yard." That part of a zone lot extending open and unobstructed from the lowest level to the sky along the entire length of a lot line, and from a lot line equivalent from a depth or width set forth in the applicable regulations.

(dddd) "Yard, diagram." The following "yard diagram" (Figure 2) shall be used in clarifying the usage of the "line" and "yard" definitions

of this title:

Figure 2



(eeee) "Yard, front." Extending along the full length of a front lot line. In the case of a corner lot, a yard of at least full depth required for a front yard in these regulations, and extending along the full length of a street line shall also be established. Each lot shall have a designated front yard.

(ffff) "Yard, rear." An open space, except for permitted accessory structures, extending for the full length of a rear lot line.

(gggg) "Yard, side." An open unoccupied space extending along a side lot line from the required front yard to the required rear yard. In the case of a corner lot, any yard which abuts a street line and which is not designated a front yard shall be considered a side yard and shall meet the same requirements as a front yard. In the case of a through lot, side yards shall extend between the required front yards, except when such corner lots are required by these regulations specifically to have more than one (1) front yard.

(hhhh) "Zone or zoning lot." A parcel of contiguous land which is or may be developed or utilized under one (1) ownership as a site for a use or group of uses and which is of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have minimum frontage on an improved, dedicated and accepted public street, or on an approved private street, and may consist of:

(i) A lot of record, a portion of a lot of record, a combination of lots of records; or a parcel described by metes and bounds;

(ii) A tract of land, either un-subdivided or consisting of two (2) or more contiguous lots of record, located within a single block, which on the effective date of this title or any subsequent amendment was in single ownership, or

(iii) A tract of land within a single block, which at the time of filing for a zoning permit (or, if no zoning permit is required, at the time of filing for a use and occupancy permit) is designated by its owner or developer as a tract all of which is to be used, developed, or built upon as a unit under single ownership.

For the purpose of this definition, the ownership of a zone lot shall be deemed to include a lease of not less than fifty (50) years duration as defined under "landowner."

(iiii) "Zoning permit." A written permit issued by the codes administrator that is required before commencing any construction, reconstruction, or alteration of any building or structure or before establishing, extending, or changing any activity or use on any zone lot

and may be construed the same as a building permit required by the building code.

(jjjj) "Short Term Rental Property (STRP)" is defined as a residential dwelling unit, containing not more than five (5) sleeping rooms, that are used and/or advertised for transient occupancy.

(kkkk) "Transient" any person who exercises occupancy or is entitled to occupancy of any rooms, lodgings or accommodations for a period of less than thirty (30) continuous days. (Ord. #06-674, June 2006, modified, as amended by Ord. #14-817, May 2014, Ord. 16-869, July 2016, Ord. #17-886, Jan 2017, Ord. #17-905, July 2017, Ord. #18-915, April 2018, Ord. #18-928, Jan. 2019 **Ch4\_1-23-20**, and Ord. #19-954, Oct. 2019 **Ch4\_1-23-20**)

**14-202. Use classification.** (1) General classification rules. The provisions of this chapter shall be known as the use classifications. The purpose of these provisions is to classify land uses into a number of specifically defined types on the basis of common functional characteristics and similar compatibility with other uses, thereby with criteria which are directly relevant to the public interest. These provisions shall apply throughout the zoning regulations. Where there is a question concerning the appropriate activity classification for any use not listed herein, the board of appeals shall make the determination based upon the characteristics of the unlisted use.

(2) Listing of activity classifications. All activities are hereby classified into the following activity types:

(a) Residential activities:

Permanent

- (i) Dwelling, attached
- (ii) Dwelling, one-family detached
- (iii) Dwelling, semi-attached
- (iv) Dwelling, two-family detached
- (v) Dwelling, mobile home
- (vi) Dwelling, multi-family
- (vii) Mobile home park

Semi-permanent:

- (i) Apartment hotel
- (ii) Boarding or rooming houses
- (iii) Residential hotel

(b) Community facility activities:

- (i) Administrative
- (ii) Community assembly
- (iii) Community education
- (iv) Cultural and recreation services
- (v) Essential service
- (vi) Extensive impact

- (vii) Health care
- (viii) Institutional care
- (ix) Intermediate impact
- (x) Personal and group care facilities
- (xi) Religious facilities
- (c) Commercial activities:
  - (i) Animal care and veterinarian services
  - (ii) Automotive parking
  - (iii) Automotive repair and cleaning
  - (iv) Automotive servicing
  - (v) Building materials and farm equipment
  - (vi) Consumer repair services
  - (vii) Construction sales and services
  - (viii) Convenience commercial
  - (ix) Entertainment and amusement services
  - (x) Financial, consulting, and administrative
  - (xi) Food and beverage service
  - (xii) Food service drive-in and drive-thru
  - (xiii) General business and communication services
  - (xiv) General personal service
  - (xv) General retail trade
  - (xvi) Group assembly
  - (xvii) Medical and professional services
  - (xviii) Scrap operations
  - (xix) Transient habitation
  - (xx) Transport and warehousing
  - (xxi) Undertaking services
  - (xxii) Vehicular, craft, and related equipment sales, retail and delivery
  - (xxiii) Wholesale sales
- (d) Manufacturing activities:
  - (i) Limited
  - (ii) Intermediate
  - (iii) Extensive
- (e) Agricultural, resource production, and extractive activities:
  - (i) Agricultural services
  - (ii) Crop and animal raising
  - (iii) Mining and quarrying
  - (iv) Plant and forest nurseries
  - (v) Confined animal feeding operations

(3) Accessory uses. In addition to the principal activities expressed above, each activity type shall be deemed to include activities customarily associated with, and appropriate, incidental, and subordinate to the principal

activity. Such accessory activities shall be controlled in the same manner as principal activities except as otherwise expressly provided in this title.

Such accessory activities may include, but are not limited to, the activities indicated below:

(a) Off-street parking and loading serving a principal activity, whether located on the same zone lot or on a different zone lot, but only if the facilities involved are reserved for the residents, employees, patrons or other persons participating in the principal activity.

(b) Home occupations accessory to a residential activity shall be carried on within a dwelling unit, or rooming unit, or by one (1) or more occupants of the dwelling unit or rooming unit subject to further restrictions contained in § 14-208(1)(o). Home occupation shall not include the manufacture and repair of transportation, equipment, a barbershop, a beauty shop, parlor or salon, or any similar type of operation where clientele or patrons are served on the premises.

(c) Child care for four (4) or less pre-teenage children. The dwelling unit in which this activity occurs shall meet all applicable state and local regulations.

(d) Child care for pre-teenage children when operated by a health care, commercial or industrial activity where the care is provided solely for the children of their employees. The facility shall be located on the same zone lot as the principal activity and meet all applicable state and local regulations for a day care center for children.

(e) Residential occupancy in connection with a principal non-residential activity on the same zone lot.

(f) Operation of a cafeteria for employees, residents, patrons or other participating in the principal activity by an organization engaged in a community facility activity on the same zone lot. Where the principal activity is permitted by conditional use only, an accessory cafeteria must be approved as a part of the action granting said permit.

(g) Sale of goods on the same zone lot as a principal community facility activity, but only if such goods are available only to persons participating in the principal activity.

(h) Production of goods for sale by a firm engaged in a principal commercial activity on the same zone lot, but only if:

(i) All goods so produced are sold at retail by the same firm either on the same or other zone lots;

(ii) Such production does not occupy more than forty-nine percent (49%) of the total floor area and open sales, display, storage and service area occupied by such firm on the zone lot;

(iii) Such production does not in any case occupy more than two thousand (2,000) square feet of such floor area; and

(iv) Such production only be permitted in an enclosed building.

(i) Storage of goods sold by a principal commercial activity engaged in by the same firm on the same zone lot, and such storage does not occupy more than forty-nine percent (49%) of the total floor area.

(j) Operation of an administrative office of a firm engaged in a principal manufacturing or commercial activity on the same zone lot, but only if such office does not occupy more than forty-nine percent (49%) of the total floor area and open sales, display, storage, production, and service area occupied by the same firm on the same zone lot.

(k) Temporary construction, grading, and demolition activities which are necessary and incidental to the development of facilities on the same zone lot, or on another of several zone lots being developed at the same time.

(l) Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into ten (10) or more zone lots.

(m) Storage of flammable and combustible liquids and gases, provided that:

(i) The provisions of this section regulate the above ground storage of flammable and combustible liquids and gases when such storage is an accessory to another principal, residential or commercial activity on the same zone lot. The provisions which regulate the storage of flammable and combustible liquids and gases as a matter of right in CG districts are contained in the performance standards for commercial districts. The provisions which regulate the storage of flammable and combustible liquids and gases in industrial districts are contained in the performance standards for industrial districts.

(ii) In agricultural districts, no more than one thousand (1,000) gallons of gasoline or diesel fuel, as an accessory activity, may be stored above ground on a single zone lot.

(iii) In all zoning districts, no more than five hundred (500) gallons of home heating oil or liquefied petroleum gas (LPG) per dwelling unit, up to a total of five thousand (5,000) gallons on a single zone lot, may be stored above ground as an accessory activity to a residential activity.

(iv) In all zoning districts other than the agricultural districts above, no more than twenty-five (25) gallons or water gallon equivalents of any other flammable or combustible liquid or gas may be stored above ground on a single zone lot as an accessory activity to a residential activity.

(v) In all zoning districts where the sale of fuel for motor vehicle occurs as an accessory use to convenience sales and service or to automotive servicing, no more than five thousand (5,000) gallons of gasoline, diesel fuel or Liquefied Petroleum Gas (LPG)

may be stored above ground on the same zone lot as a part of such accessory sales.

(vi) In any and all zoning districts where retail sales are permitted, flammable and combustible liquids and gases may be stored, displayed and conveyed in the amounts and containers customarily associated with such sales.

(vii) In any and all zoning districts, up to five thousand (5,000) gallons of heating oil or Liquefied Petroleum Gas (LPG) may be stored above ground for heating non-residential buildings.

(viii) In any and all zoning districts, no above-ground storage tank, container or vessel in which flammable or combustible liquids or gases are kept may be located in any required front, rear or side yard. Further, the location, construction and installation of all such tanks, containers or vessels must meet the provisions of the International Building Code and the most current NFPA standard.

(4) Classification of combinations of principal activities. The following rules shall apply where a single zone lot contains activities which resemble two (2) or more different activity types and which are not classified as accessory activities.

(a) Separate classification of each establishment. The principal activities on a single zone lot by each individual establishment, management, or institution shall be classified separately.

(b) Separate classification of different classes of activities conducted by a single establishment. If the principal activities conducted by a single establishment, management, or institution resemble two (2) or more different classes of activities, the principal activities of each class shall be classified separately.

(c) Classification of different activities within the same class, conducted by a single establishment. If principal activities conducted on a single zone lot by a single establishment, management, or institution resemble two or more activity types within the same class of activities, all such principal activities shall be classified in the activity type within said class the description of which type most closely portrays the overall nature of such activities.

(5) Residential activities. (a) Permanent residential. The occupancy of living accommodations on a monthly or longer basis with none of the living units under the same ownership or management on the same zone lot being occupied on a less-than-monthly basis. This shall not include institutional living arrangements involving the provision of any kind of special care or forced residence such as nursing homes, orphanages, asylums, half-way houses or prisons, except as provided by general law of the state. The following dwelling types as defined by this ordinance are

permanent residential activities, however, only those dwelling types as indicated by individual district regulations may be permitted therein.

- (i) Dwelling, attached
- (ii) Dwelling, one-family detached
- (iii) Dwelling, two-family detached
- (iv) Dwelling, semi-detached
- (v) Dwelling, mobile home
- (vi) Dwelling, multi-family
- (vii) Mobile home park

(b) Semi-permanent residential. The occupancy of living accommodations partly on a monthly or longer basis and partly for a shorter time period, but with less than thirty percent (30%) of the living units under the same ownership or management on the same zone lot being occupied on a less-than-monthly basis. This shall not include institutional living arrangements involving the provision of a special kind of care or forced residence, such as nursing homes, orphanages, asylums, half-way houses, and prisons, except as provided by general law of the state, nor any type dormitory, fraternity or sorority houses, or similar group living or sleeping accommodations. The following dwelling or rooming unit types as defined by this ordinance are considered as semi-permanent residential activities, however, only those dwelling or rooming unit types as indicated by individual district regulations may be permitted therein.

- (i) Apartment hotel
- (ii) Boarding or rooming house
- (iii) Residential hotel

(6) Community facility activities. (a) Administrative services include the activities typically performed by public administrative offices. These activities would include:

- (i) City, county, state, and federal offices
- (ii) Civil defense facilities
- (iii) Court buildings
- (iv) Fire department facilities
- (v) Police department facilities
- (vi) Post offices

(b) Community assembly includes the activities typically performed by or at institutions and installations for various social, athletic, and recreational purposes. These activities do not include facilities primarily utilized for profit. They would include:

- (i) Civic, social, fraternal, and philanthropic associations
- (ii) Private (nonprofit) clubs, lodges, meeting halls, and recreation centers
- (iii) Temporary nonprofit festivals

(c) Community education includes the activities of an educational nature typically performed by the following institutions:

- (i) Public and private nursery schools
- (ii) Kindergarten, primary, and secondary schools

This does not include special training and schooling services offered by private individuals for profit nor technical schools, colleges, or universities.

(d) Cultural and recreational services includes the activities of a cultural or recreational nature which are either owned by, or operated for the use and enjoyment of, the general public. This does not embrace such facilities which are privately-owned and operated for profit. These activities would include:

- (i) Art galleries
- (ii) Libraries
- (iii) Museums
- (iv) Parks, playgrounds, and playfields
- (v) Planetariums and aquariums
- (vi) Recreational centers and gymnasiums
- (vii) Swimming pools and beaches
- (viii) Zoological and botanical gardens

(e) Essential services includes the maintenance and operation of the following installations:

- (i) Electrical and gas substations
- (ii) Pumping facilities for water and sewer systems
- (iii) Telephone switching facilities

(f) Extensive impact facilities includes the activities that have a high degree of impact upon surrounding land use due to their hazards or nuisance characteristics, as well as traffic generation, parking, and land requirements and typically performed by, or the maintenance and operation of, the following institutions and installations:

- (i) Airports, air cargo terminals, heliports, or other aeronautical devices
- (ii) Correction and detention institutions
- (iii) Electricity generating facilities and transmission lines
- (iv) Garbage incineration plants including co-generation facilities
- (v) Major fuel transmission lines and facilities
- (vi) Major mail processing centers
- (vii) Military installations
- (viii) Public and private utility corporations and
- (ix) Truck yards, including storage yards
- (x) Radio and television transmission facilities
- (xi) Railroad, bus, and transit terminals
- (xii) Railroad yards and other transportation equipment

- (xiii) Marshaling and storage yards
  - (xiv) Sanitary landfill
  - (xv) Sewage treatment plants
  - (xvi) Stadiums, sports arenas, auditoriums, and bandstands
  - (xvii) Water treatment plants
- (g) Health care facilities includes the activities typically performed by the following institutions but not including the offices, clinics, etc., of private physicians or other health care professionals:
- (i) Centers for observation or rehabilitation
  - (ii) Convalescent homes
  - (iii) Hospitals
  - (iv) Medical clinics
- (h) Institutional care facilities includes activities providing residential services to unrelated individuals who are delinquent minors, psychotic, or paroled from detention institutions. These activities would include:
- (i) Group living arrangements
  - (ii) Halfway houses
- (i) Intermediate impact facilities includes the activities that have a significant effect upon surrounding land uses due to their traffic generation characteristics, parking requirements, land requirements, or potential nuisances and typically performed by, or the maintenance and operation of, the following institutions or installations:
- (i) Cemeteries, columbariums, and mausoleums
  - (ii) Colleges, junior colleges, and universities, but excluding profit-making business schools
  - (iii) Golf
  - (iv) Water storage facilities
- (j) Personal and group care facilities includes the activities and facilities to provide for the care of pre-teenage children, excluding living accommodations for the clientele, the elderly and/or disabled and handicapped persons needing special care or supervision but excluding facilities oriented toward medical care and also excluding facilities for delinquent, criminally dangerous, or psychotic people. These activities would include:
- (i) Associations for physically or mentally handicapped persons
  - (ii) Child care facilities
  - (iii) Group home for physically or mentally handicapped persons
  - (iv) Nursing homes
  - (v) Retirement or rest homes (without health care)
- (k) Religious facilities includes the activities or facilities utilized by various religious organizations for worship functions but excluding any

facility the primary function of which is to produce products or printed matter for sale or general distribution, any retail sales or commercial overnight accommodations. The activities include:

- (i) Chapels
- (ii) Churches
- (iii) Convents or monasteries
- (iv) Sanctuaries
- (v) Synagogues
- (vi) Temples

(6) Commercial activities. (a) Animal care and veterinarian services includes the provision of animal care, treatment, and boarding services.

- (i) Pet day care
- (ii) Pet grooming and cleaning
- (iii) Veterinarian clinics and kennels

(b) Automotive parking includes the parking and/or storage of motor vehicles but excluding junk or scrap vehicles.

(c) Automotive repair and cleaning includes establishments primarily engaged in furnishing auto repair services to the general public. The activities include:

- (i) Auto cleaning and detailing services
- (ii) Auto engine repair and replacement shops
- (iii) Auto glass repair and replacement shops
- (iv) Auto inspection and diagnostic services
- (v) Auto paint shops
- (vi) Auto towing services
- (vii) Auto transmission repair shops
- (viii) Car washes
- (ix) Radiator and muffler shops
- (x) Tire retreading and repair shops

(d) Automotive servicing includes the sale, from the premises, of goods and the provision of services which are generally required for the operation and maintenance of motor vehicles and fulfilling motorist's needs. Activities include:

- (i) Gasoline service stations, excluding fuel services for trucks over ten thousand (10,000) pounds in gross vehicle weight
- (ii) Sale and installation of tires, batteries, accessories, and replacement items
- (iii) Lubricating services
- (iv) Performance of minor repairs (brakes, tune-up and similar service)
- (v) Wheel alignment

(e) Building materials and farm equipment includes the retail and wholesale sales and storage of materials used in the construction of buildings and other structures as well as the retail and wholesale sale

and storage of implements, equipment, feed and seed used in agricultural pursuits.

- (i) Farm equipment and supplies
  - (ii) Feed milling and sales
  - (iii) Heating, plumbing, and electrical supplies
  - (iv) Lumber and other building materials dealers
  - (v) Seed storage and sales
- (f) Consumer repair services includes the servicing and repair of appliances, furniture, and equipment generally used or owned by individuals.
- (i) Electrical repair shops
  - (ii) Furniture repair, upholstery and refinishing shops
  - (iii) Gunsmith shops
  - (iv) Instrument repair shops
  - (v) Lawn mower repair shops
  - (vi) Locksmith shops
  - (vii) Office equipment cleaning and repair
  - (viii) Refrigeration and air conditioning repair
  - (ix) Saddlery repair shops
- (g) Construction sales and services includes the offices, buildings, and shops of various types of contractors as well as incidental on-site construction and storage.
- (i) Builder's hardware
  - (ii) Carpentering contractors
  - (iii) Concrete contractors
  - (iv) Excavation contractors
  - (v) General building contractors
  - (vi) Glazing contractors
  - (vii) Highway and street construction contractors
  - (viii) Masonry, stonework, tile setting and plastering contractors
  - (ix) Painting and paper hanging
  - (x) Plumbing, heating and electrical contractors
  - (xi) Roofing and sheet metal contractors
- (h) Convenience commercial includes the retail sale, from the premises, of groceries, drugs and other frequently needed personal convenience items, as well as the provision of personal convenience services that are typically needed frequently or recurrently; provided that no establishment shall exceed five thousand (5,000) square feet of gross floor area.
- (i) Bakeries
  - (ii) Barber shops
  - (iii) Beauty shops
  - (iv) Drug stores

- (v) Grocery stores
- (vi) Hardware stores (no outside storage)
- (vii) Laundry and dry cleaning pick-up stations
- (viii) News stands (excluding adult bookstores as defined)
- (ix) Self-service gasoline pumps, excluding fuel services for trucks over ten thousand (10,000) pounds in gross vehicle weight

- (x) Shoe repair services

(i) Entertainment and amusement services includes the provision of cultural, entertainment, educational and athletic services, other than those classified as community facility activities, to assembled groups of spectators or participants.

- (i) Art galleries (commercial)
- (ii) Batting and golf driving ranges
- (iii) Bowling alleys and billiard parlors
- (iv) Coin operated amusement arcades
- (v) Exhibition halls and auditoriums
- (vi) Motion picture theaters (excluding adult entertainment as defined)
- (vii) Skating rinks
- (viii) Theaters - legitimate
- (ix) Theatrical producers, bands, orchestras and entertainers

(j) Financial, consultative and administrative services includes the provision of financial, insurance, real estate brokerage and general business offices, as well as advice, designs, information or consultations of a professional nature (other than those classified as community facility activities, medical service, or business and communication services).

- (i) Accounting, auditing, and bookkeeping services
- (ii) Agricultural credit institution
- (iii) Artists studios (excluding commercial artists)
- (iv) Attorneys and law offices
- (v) Banking and bank-related functions
- (vi) Consulting scientists
- (vii) Credit unions
- (viii) Educational and scientific research services
- (ix) Engineering, architectural, and planning services
- (x) Holding and investment organizations
- (xi) Insurance carriers, agents, brokers, and service
- (xii) Money management and investment offices
- (xiii) Real estate brokers, managers and appraisers
- (xiv) Rediscount and financing institutions for credit agencies other than banks
- (xv) Savings and loan associations

(xvi) Securities commodities, brokers, dealers, and exchanges

(xvii) Songwriters, music arrangers, writers and lecturers

(xviii) Title offices

(k) Food and beverage service includes the retail sale of prepared food or beverages for primarily on-premises consumption within the principal structure on the zone lot.

(i) Bars

(ii) Brew pubs

(iii) Restaurants

(l) Food service drive-in and drive-thru includes the retail sale of prepared food or beverages for either home or on premises consumption either within the principal structure or within a parked car on the same zone lot or with the principal structure having a pick-up window with a drive-thru lane.

(i) Drive-in restaurants

(ii) Restaurants with drive-thru service

(m) General business and communication services includes the provision of services of a clerical, goods brokerage, and communications of a minor processing nature, copying and blueprinting services, custom printing (except books) but exclude the sale and/or storage of goods and chattel unless otherwise permitted by this ordinance.

(i) Advertising agencies and services

(ii) Commercial cleaning services

(iii) Commercial testing laboratories

(iv) Communications services

(v) Radio and television broadcasting studios

(vi) Telegraph offices and message centers

(vii) Telephone exchanges and relay towers

(viii) Television and recording production studios

(ix) Computer and data processing services

(x) Credit reporting, adjustment, and collection agencies

(xi) Detective agencies and protective services

(xii) Drafting services

(xiii) Employment, personnel, and temporary help services

(xiv) Exterminating services

(xv) Interior decorator and consulting services

(xvi) Mailing, reproduction, and commercial art services

(xvii) Management, consulting, and public relations services

(xviii) Membership organizations

(xix) Automobile clubs

(xx) Better business bureaus

(xxi) Chamber of commerce

(xxii) Labor unions

- (xxiii) Political organizations
- (xxiv) Professional associations
- (xxv) News syndicates
- (xxvi) Photo-finishing services
- (xxvii) Research and development laboratories
- (xxviii) Trading stamp services

(n) General personal services includes the provision to individuals of informational and instructional services as well as the provision of care and maintenance for personal items. These activities do not include the storage or sale of goods or chattel unless otherwise permitted herein.

- (i) Automatic Teller Machines (ATM)
- (ii) Barber shops
- (iii) Beauty shops and salons
- (iv) Decorating services
- (v) Laundry, cleaning, and garment services
- (vi) Mini warehouses (included by conditional use only)
- (vii) Miscellaneous personal services
- (viii) Clothing rental agencies
- (ix) Health spas
- (x) Photographic studios
- (xi) Shoe repair shops
- (xii) Special training and schooling services
- (xiii) Art and music schools
- (xiv) Barber and beauty schools
- (xv) Business schools
- (xvi) Dancing schools/exercise studios
- (xvii) Driving schools
- (xviii) Watch, clock and jewelry repair

(o) General retail trade includes the retail sales or rental from the premises, primarily for personal or household use, of goods and/or services but excluding goods and services listed in the other classifications herein.

- (i) Antique and second hand merchandise stores
- (ii) Automotive parts (no exterior storage)
- (iii) Bakeries
- (iv) Book and stationery stores (excluding adult bookstores)
- (v) Camera stores
- (vi) Candy, nut and confectionery stores
- (vii) Children's and infant's stores
- (viii) Convenience markets including gasoline and diesel fuel sales for cars and trucks
- (ix) Dairy products stores

- (x) Department stores
- (xi) Drapery, curtain, and upholstery stores
- (xii) Drug stores and proprietary stores
- (xiii) Family clothing stores
- (xiv) Floor covering stores
- (xv) Florists
- (xvi) Fruit stores and vegetable markets
- (xvii) Furniture stores
- (xviii) Furriers and fur shops
- (xix) Gift shops
- (xx) Grocery stores
- (xxi) Hardware store
- (xxii) Hobby, toy, and game stores
- (xxiii) Household appliance stores
- (xiv) Jewelry stores
- (xxv) Lawn and garden supplies, retail nurseries
- (xxvi) Liquor stores
- (xxvii) Luggage shops
- (xxviii) Meat and seafood markets
- (xxix) Men's and boy's clothing and furnishing stores
- (xxx) Miscellaneous apparel and accessory stores
- (xxi) Bathing suit stores
- (xxii) Custom tailors
- (xxiii) Shirt shops
- (xxiv) Sports apparel stores
- (xxv) Uniform stores
- (xxvi) Miscellaneous general merchandise stores
- (xxvii) Direct selling organizations
- (xxviii) Mail order houses
- (xxix) Miscellaneous home furnishings stores
- (xxx) Bedding and linen stores
- (xxxi) Cookware stores
- (xxxii) Cutlery stores
- (xxxiii) Glassware and china shops
- (xxxiv) Lamp and shade shops
- (xxxv) Paint and wallpaper stores
- (xxxvi) Music stores
- (xxxvii) News stands
- (xxxviii) Radio and television stores
- (xxxix) Retail bakeries
- (xl) Sewing and piece goods stores
- (xli) Shoe stores
- (xlii) Sporting goods stores
- (xliii) Tobacco shops

- (xlv) Variety stores
- (xlv) Women's accessory and specialty stores
- (xlvi) Women's ready-to-wear store
- (p) Group assembly includes the provision of cultural, entertainment, educational, and athletic services, other than those classified as community facilities, to large groups of assembled spectators and/or participants (one hundred fifty (150) or more) or that have a substantial potential impact upon adjoining property.
  - (i) Amusement parks
  - (ii) Commercial camp grounds
  - (iii) Commercial (recreational) resorts
  - (iv) Commercial sports arenas and playing fields
  - (v) Drag strips
  - (vi) Race tracks (auto, motorcycle, dog, and horse)
- (q) Medical services includes the provision of therapeutic, preventive, or corrective personal treatment services by physicians, dentists, and other practitioners, as well as testing and analysis services of which is provided in an office environment.
  - (i) Chiropractors offices
  - (ii) Consulting scientists
  - (iii) Dental offices and laboratories
  - (iv) Optometrists
  - (v) Physicians' offices and clinics (out patient services only)
  - (vi) Psychologists and psychotherapists
- (r) Scrap operations includes firms engaged in the storage and/or sale, from the premises, of used or waste material or other items except when such activities are incidental to a manufacturing activity.
  - (i) Automobile junk yards
  - (ii) Salvage operations
- (s) Transient habitation includes the provision of lodging services for transient guests. The term shall include five (5) different types of activities as defined in § 14-203(3).
  - (i) Hotel
  - (ii) Motel
  - (iii) Extended stay hotel/motel
  - (iv) Single room occupancy residential facility (SRO)
  - (v) Short-term rental property (STRP)
 (Bed and breakfast homestay is considered an accessory used to a permanent residential use and approved only by conditional use in the defined residential zoning district)
- (t) Transport and warehousing includes the provision of warehousing, storage, freight handling, shipping, and trucking services.
  - (i) Bus and truck maintenance and repair

- (ii) Food lockers
- (iii) General warehousing
- (iv) Household goods storage
- (v) Packing and crating services
- (vi) Refrigerated warehousing
- (vii) Truck stops with facilities for fueling, parking and washing
- (viii) Truck terminals and freight handling services
- (ix) Wrecker services
- (u) Undertaking services includes the provision of undertaking and funeral services involving the care and preparation of the human deceased prior to burial.
  - (i) Cemeteries
  - (ii) Funeral homes
  - (iii) Undertakers
- (v) Vehicular, craft, and related equipment includes the retail or wholesale sale or rental from the premises of watercraft, vehicular and related equipment with incidental maintenance.
  - (i) Boat and motor dealers
  - (ii) Mobile home dealers
  - (iii) Motor vehicle dealers
  - (iv) Motorcycle dealers
  - (v) Motor vehicle leasing
  - (vi) Recreational vehicles, including All-Terrain Vehicles (ATV) and utility trailer dealers
- (w) Wholesale sales includes the storage and sale from the premises of goods to other firms for resale, as well as the storage of goods and their transfer to retail outlets; but exclude sale or storage of motor vehicles, except for parts and accessories. These would include such uses as:
  - (i) Apparel, piece goods, and notions
  - (ii) Automotive parts and supplies
  - (iii) Beer, wine, and distilled alcoholic beverages
  - (iv) Chemicals and allied products
  - (v) Drugs, drug proprietary, and sundries
  - (vi) Electrical goods and appliances
  - (vii) Farm products raw materials
  - (viii) Farm supplies
  - (ix) Furniture and home furnishings
  - (x) Groceries and related products
  - (xi) Hardware, plumbing, and heating equipment and supplies
  - (xii) Lumber and other construction materials
  - (xiii) Machinery, equipment, and supplies

- (xiv) Metals and minerals
  - (xv) Paints, varnishes, and supplies
  - (xvi) Petroleum and petroleum products
  - (xvii) Sporting, recreational, photographic, and hobby goods
  - (xviii) Tobacco and tobacco products
  - (xix) Toys and supplies
- (8) Manufacturing activities. Manufacturing activities include the on-site production of: (a) Limited manufacturing activities includes the following operations:
- (i) The manufacture, compounding, processing, assembling, packaging, treatment, or fabrication of the following products if all such operations are carried out within completely enclosed buildings:
    - (A) Apparel and apparel accessories
    - (B) Art objects
    - (C) Bakery goods
    - (D) Beverages (non alcoholic)
    - (E) Dairy products
    - (F) Instruments for medical, dental, engineering, scientific, and other professional purposes
    - (G) Optical instruments and lens
    - (H) Printed matter
    - (I) Signs
  - (ii) Activities and operations which includes the following:
    - (A) Book binding
    - (B) Cabinets and similar products
    - (C) Data processing service
    - (D) Photocopying
    - (E) Photoengraving
    - (F) Precision machining of dies, jigs, and fixtures
    - (G) Printing
    - (H) Publishing
    - (I) Record pressing
    - (J) Schools for instruction of industrial processes such as welding, HVAC, etc.
    - (K) Upholstering
    - (L) Welding
- (b) Intermediate manufacturing activities includes the following:
- (i) The manufacture, compounding, assembling, packaging, treatment or fabrication of products except for the following:
    - (A) Cotton seed oil

- (B) Explosives
- (C) Fireworks
- (D) Organic fertilizers
- (ii) Other activities and operations except for the following:

- (A) Abrasive, asbestos, and non-metallic mineral processing
- (B) Arsenals
- (C) Asphaltic cement plants
- (D) Atomic reactors
- (E) Automobile wrecking yards, scrap and waste materials
- (F) Cement and/or concrete plants
- (G) Chemical manufacturing in excess of one (1) ton per day
- (H) Cotton ginning
- (I) Fat rendering
- (J) Foundries
- (K) Grain milling
- (L) Offal processing
- (M) Ore reduction
- (N) Paper mills
- (O) Petroleum refining
- (P) Pulp manufacturing
- (Q) Radioactive materials waste handling
- (R) Rolling and finishing of ferrous materials
- (S) Slaughtering of animals
- (T) Smelting and refining of metals and alloys
- (U) Steel works (other than those listed)
- (V) Tanning
- (W) Waste disposal by compacting or incineration, as a principal use

(c) Extensive manufacturing activities includes all of the exceptions listed above under intermediate manufacturing except for the following:

- (i) Arsenals
- (ii) Atomic reactors
- (iii) Explosives manufacturing and storage
- (iv) Fireworks manufacturing
- (v) Hazardous wastes storage and/or transfer
- (vi) Radioactive waste handling

(d) High technology manufacturing, assembly and processing. Manufacturing, assembly and/or processing subject to the following standards:

(i) All noise and vibration shall be limited to the interior of the structure;

(ii) The use emits no odors, dust, gas, radiation, broadcast interference, glare, or hazard; and

(iii) The nature of the business is such that products developed require employees with technical knowledge of the process and product.

(9) Agricultural, resource production, and extractive activities.

(a) Agricultural services includes various activities designed to provide needed services for agricultural activities and are appropriately located in close proximity thereto.

(i) Crop drying, storage, and processing

(ii) Crop planting, cultivating, and protection services

(iii) Horticultural services

(iv) Soil preparation services

(v) Veterinary services for large animals

(b) Confined animal feeding operations includes facilities and operations involved in the storage and feeding (other than pasture grazing) of animals for resale or slaughter within confined fenced spaces (also known as a feed lot) or within buildings.

(c) Crop and animal raising includes the raising of tree, vine, field, forage, and other plant crops intended to provide food or fiber, as well as keeping, grazing, or feeding animals for animal products, animal increase, or value increase, but specifically excluding confined animal feeding operations and facilities for the processing, packaging, or treatment of agricultural products.

(i) Dairies

(ii) Farms

(iii) Raising of plants, animals, and fish

(iv) Truck gardens

(d) Mining, drilling, and quarrying includes operations and facilities either utilized by, or in support of the extraction of minerals, ores, petroleum, and natural gas or in the quarrying and collection of stone, gravel, sand, clay, and other non-metallic minerals (i.e., phosphate rock).

(i) Chemical fertilizer and non-metallic mineral mining

(ii) Clay, ceramic, and refractory minerals

(iii) Coal mining

(iv) Crude petroleum and natural gas production

(v) Metal ore and mineral mining

(vi) Sand and gravel quarrying

(vii) Stone quarrying

(e) Plant and forest nurseries includes the cultivation for sale of horticultural specialties, such as flowers, shrubs, and trees, intended for ornamental, landscaping, or tree planting purposes.

(i) Forest nursery

(ii) Plant nursery (Ord. #06-674, June 2006, as amended by Ord. #12-784, Aug. 2012, and Ord. #19-954, Oct. 2019 *Ch4\_1-23-20*)

**14-203. Application of regulations.** (1) Application. No structure shall be constructed, erected, placed or maintained and no land use commenced or continued within the City of Goodlettsville, Tennessee, except as specifically or by necessary implication, authorized by this title. Conditional uses are allowed only on permits granted by the board of zoning appeals upon finding that the specified conditions exist. Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized except as prohibited specifically or by necessary implication.

(2) Scope of regulations. (a) New uses, lots, buildings, or other structures. Any new building or other structure or any tract of land shall be used, constructed, or developed only in accordance with the use, bulk, and all other applicable provisions of this title.

(b) Existing uses, lots, building, or other structures.

(i) Any existing use legally established prior to the effective date of the ordinance enacting this title, which does not comply with the provisions of the title shall be subject to the nonconforming use provisions in § 14-212 of this title.

(ii) Any existing lot, parcel, building, or other structure legally established prior to the effective date of the ordinance enacting this title, which does not comply with its provisions, other than use provisions, shall be subject to the non-complying regulations in § 14-212 of this title.

(b) Alteration of existing buildings and other structures.

(i) All structural alterations or relocations of existing buildings or structures occurring after the effective date of this ordinance and all enlargements of or additions to existing uses occurring hereafter shall be subject to all regulations of this title which are applicable to the zoning districts in which such building, uses, or land shall be located.

(ii) Whenever an existing building is expanded or remodeled by more than thirty three and one-third percent (33 1/3%) of its square footage within a twenty-four (24) month period, the entire site shall be brought into compliance with site improvements required by this title including required parking spaces, design and paving of parking lots and driveways, access points to a public street, landscaping and drainage.

(3) Exceptions, variances and conditional uses. Whenever the zoning ordinance in effect at the time of adoption of the ordinance enacting this title has authorized any use which is not permitted as of right by issuing a variance, exception, or permit to locate in a district, such authorization may be continued, changed, extended, enlarged, or structurally altered only as set forth in § 14-212.

(4) Renewals of uses where exceptions, variances or conditional uses granted. Where no limitation of the use was imposed at the time of authorization, such use may be continued. Where such use was authorized subject to a term of years, such use may be continued until the expiration of the term, and thereafter, the agency or similar constituted agency which originally authorized such use may, in appropriate cases, extend the period of continuance for one (1) or more terms of not more than five (5) years each. The agency may prescribe appropriate conditions and safeguards to minimize adverse effects of such use on the character of the neighborhood.

(5) Change of uses where exceptions, variances, or conditional uses granted. In no event shall any use which was granted upon exception, variance, or condition, be changed, and no agency shall be empowered to permit such use to be changed, except to a conforming use or nonconforming use as provided for in § 14-212. For the purposes of this section a change of use is a change to another use either under the same activity type or any other activity type or major class of activity; however, a change in occupancy or ownership shall not, by itself, constitute a change in use.

(6) Legislative intent of administrative application of zoning regulation. Whenever, in the course of administration and enforcement of this title, it is necessary or desirable to make any administrative decisions, then, unless other standards are provided in this title, the decision shall be made so that the result will not be contrary to the spirit and purpose of this title or injurious to the surrounding neighborhood. (Ord. #06-674, June 2006)

**14-204. Establishment of districts and provisions for official zoning map.** (1) Establishment of districts. (a) Regular districts. In order to implement all purposes and provisions of this ordinance, the following districts are hereby established:

- (i) Residential districts:
  - A – Agricultural district
  - R-40 – Low density residential district
  - R-25 – Low density residential district
  - R-15 – Medium density residential district
  - R-10 – Medium density residential district
  - R-7 – High density residential district
  - Mobile home park district
- (ii) Commercial districts:
  - CC – Commercial core district

CG – Commercial general district  
 CS – Commercial service district  
 CSL – Commercial service limited district  
 INT – Interchange overlay district  
 OP – Office professional

- (iii) Industrial districts:  
 IR – Industrial restrictive district  
 IG – Industrial general district

(b) Special districts. The following are hereby established as special districts subject to further provisions as set forth in this ordinance.

- (i) Floodplain district  
 (ii) Planned unit development districts  
 (iii) Commercial core overlay

(2) Provisions for official zoning maps.<sup>1</sup> (a) Incorporation of maps. The boundaries of districts established by this ordinance are shown on the official zoning maps, which are hereby incorporated into the provisions of this ordinance. The zoning maps in their entirety, including all amendments shall be as much as part of this ordinance as if fully set forth and described herein.

(b) Identification and alteration of the official zoning map. The official zoning map shall be identified by the signature of the mayor attested by the city recorder, and bearing the seal of the city under the following words: "This is to certify that this is the official zoning map referred to in chapter 5 of Ordinance No. 06-674 of the City of Goodlettsville, Tennessee," together with the date of the adoption of this ordinance.

If, in accordance with the provisions of this ordinance and Tennessee Code Annotated, § 13-7-204, changes are made in district boundaries or other matter portrayed on the official zoning maps, such changes shall be entered on the official zoning map promptly after the amendment has been approved by the city commission.

No amendment to this ordinance, which involves matter portrayed on the official zoning map, shall become effective until after such change and entry has been made on said map.

Regardless of the existence of purported copies of the official zoning map, which may from time to time be made or published, the official zoning map, which shall be located in the office of the city recorder, shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the city.

---

<sup>1</sup>The official zoning map for the City of Goodlettsville and all amendments thereto are of record in the office of the city recorder.

(c) 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 or number of changes and additions, the city commission may by resolution adopt a new official zoning map which shall supersede the prior official zoning map. The new official zoning map may correct drafting or other errors or omissions in the prior official zoning map, but no such correction shall have the effect of amending the original official zoning map or any subsequent amendment thereof. The new official zoning map shall be identified by the signature of the mayor attested by the city recorder, and bearing the seal of the city under the following words:

"This is to certify that the official zoning map supersedes and replaces the official zoning map adopted June 22, 2006 as part of Ordinance No. 06-674 of the City of Goodlettsville, Tennessee."

All prior official zoning maps or any significant parts thereof shall be preserved, together with all available records pertaining to their adoption or amendment. (Ord. #06-674, June 2006, as amended by Ord. #13-806, Dec. 2013)

**14-205. Residential district regulations.** (1) Statement of purpose. The residential districts established in this title are designed to promote and protect the health, safety, morals, convenience, order, prosperity, and other aspects of the general welfare. These general goals include, among others, the following more specific purposes:

(a) To provide sufficient space in appropriate locations for residential developments to adequately meet the housing needs of the present and expected future population of the urban area, with due allowance for the need for a variety of choices in site selections;

(b) To permit improved movement on the public ways and effectively utilize existing public ways, and as far as possible, to mitigate the effects of heavy traffic and more particularly all through traffic, in residential areas;

(c) To protect residential areas against flood, fire, explosions, toxic and noxious matter, radiation, and other dangers, and against offensive matter, heat, glare, humidity, and other objectionable influences;

(d) To protect residential areas against undue congestion, as far as possible, by regulating the density of population, the intensity of activity, and the bulk of buildings in relation to the surrounding land and to one another, and by providing for off-street parking spaces for automotive vehicles;

(e) To provide for access for light and air to windows and for privacy, as far as possible, by controls over the height of buildings and structures;

(f) To provide appropriate space for public and private educational, religious, recreational, and similar facilities and public utilities which serve the needs of nearby residents, which generally perform their own activities more effectively in a residential environment, and which do not create objectionable influences; and to coordinate the intensity of residential land use with the appropriate community facilities;

(g) To promote the most desirable use of land and direction of building development in accordance with a well considered general plan to promote stability of residential development, to protect the character of the district and its peculiar suitability for particular uses, to conserve the value of land and buildings, and to protect the community's tax revenues.

(h) To exclude from these districts all buildings and other structures and uses having commercial characteristics whether operated for profit or otherwise, except that conditional uses and home occupations specifically provided for in these regulations for these districts shall be considered as not having such characteristics if they otherwise conform to the provisions of this title.

(2) Purposes of residential districts. Each residential district has specific purposes as indicated below:

(a) A - Agricultural districts. These districts are designed to provide permissible areas for the growing of crops, animal husbandry, dairying, forestry and other similar activities, which generally occur and characterize rural rather than urban areas. These districts are designed, furthermore, to provide for very low density residential development where public sanitary service is least practical. In addition, these districts may include areas and lands not suited by reason of soil, geologic, topographic, or other limitations for development. These districts also include community facilities, public utilities, and major recreational facilities, which require large land areas and are appropriately located away from intense urban development.

(b) R40 - Low density residential districts. These districts are designed to provide suitable areas for low density residential development characterized by an open appearance. The residential development will consist of single family detached dwellings and accessory structures. These districts also include community facilities, public utilities, and open uses which serve specifically the residents of these districts, or which are benefitted by an open residential environment without creating objectionable or undesirable influences upon residential developments.

(c) R25 - Low density residential districts. These districts are designed to provide suitable areas for low density residential development characterized by an open appearance. Generally, the

residential development will consist of single family detached dwellings and accessory structures. These districts also include community facilities, public utilities, and open uses which serve specifically the residents of these districts, or which are benefitted by an open residential environment without creating objectionable or undesirable influences upon residential developments.

(d) R15 - Medium density residential districts. These districts are designed to provide suitable areas for medium density residential development where sufficient urban services and facilities are provided or where such services can be facilitated prior to development. Generally, the residential development will consist of single family and two-family detached dwellings and accessory structures. These districts also include community facilities, public utilities, and open uses which serve specifically the residents of these districts, or which are benefitted by an open residential environment without creating objectionable or undesirable influences upon residential activities.

(e) R10 - Medium density residential districts. These districts are designed to provide suitable areas for medium density residential development where sufficient urban services and facilities are provided or where such services can be facilitated prior to development. Generally, the residential development will consist of single family and two-family detached and semi-detached dwellings and accessory structures. This class of district is intended also to permit community facility and public utility installations which are necessary to service and to serve specifically the residents of these districts, or which installations are benefitted by and compatible with a residential environment.

(f) R7 - High density residential districts. These districts are designed to provide suitable areas for high density development where sufficient urban facilities are available or where such facilities will be available prior to development. This class of district is intended also to permit community facilities and public utility installations which are necessary to service specifically the residents of the district, or which installations are benefitted by and compatible with a residential environment.

(g) Mobile home park districts. These districts are designed to provide a high quality environment for individual mobile homes, either owned or leased, in a planned development of mobile homes as defined.

(3) Use and structure provisions. The uses and structures indicated herein may be permitted within the various residential districts only in the manner and subject to any specific design criteria that apply.

(a) Uses permitted:

(i) Principal permitted uses. Principal permitted uses for all residential districts are listed in Table I, the land use activity matrix, as presented in Appendix A.

(ii) Permitted accessory uses. In addition to the principal permitted uses, each activity type may include accessory activities customarily associated with, and appropriate, incidental, and subordinate to the principal activity located on the same zone lot. These include:

- (A) Private garages and parking areas;
- (B) Recreation facilities exclusively for the use of the residents;
- (C) Home occupations as defined and subject to further regulations contained in § 14-208(1)(o);
- (D) Signs in compliance with the regulations set forth in the Goodlettsville Sign Ordinance;
- (E) Within the a districts, private barns, stables, sheds, and other farm buildings.

Within the A and R-40 districts, chicken coops provided, however, that no commercial chicken coops shall be allowed. Chicken coops shall be located at least one hundred feet (100') from any neighboring dwelling and shall be no more than one hundred (100) square feet in size.

(b) Conditional uses. Conditional uses permitted for consideration of the board of zoning appeals are listed in Table I.

(c) Prohibited uses. Any use or structure not specifically permitted by right or conditional use as presented in Table I is prohibited.

(4) Bulk, yard, and density regulations. The regulations appearing below apply to zone lots and buildings or other structures located on any zone lot or portion of a zone lot including all new developments, enlargements, extensions, or conversions; provided, however, that all barns, sheds, silos, or other buildings used exclusively for agricultural purposes shall be exempt from these regulations when located in the agricultural districts. Existing buildings or other structures which do not comply with one or more of the applicable bulk regulations are classified as noncomplying and are subject to the provisions of § 14-212.

(a) Minimum lot size. Within all residential districts, the minimum size lot and width of lot (measured at the building line) used for residential purposes shall be as established in Table II as presented in Appendix A.

(b) Maximum lot coverage. Within all residential districts, the maximum lot coverage by all buildings shall not exceed the percentage of lot area as established in Table II as presented in Appendix A.

(c) Maximum floor area ratio. Within all residential districts, the maximum permitted floor area ratio shall be as established in Table II as presented in Appendix A.

(d) Maximum permitted height. No building shall exceed the height requirements as established in Table II as presented in Appendix A.

(e) Density regulations. The maximum residential density permitted on any zone lot shall be controlled by the development area per dwelling or rooming unit as established in Table II as presented in Appendix A.

(f) Yard regulations. Within all residential districts, the minimum yard regulations established in Table II as presented in Appendix A shall apply.

(g) Minimum lot area coverage. Within the residential districts, the principal building shall meet the minimum lot area coverage as indicated:

R40	1,500 square feet; 1,100 square feet for 1st floor of 2 story plus 2 car attached garage
R25	1,325 square feet; 1,100 square feet for 1st floor of 2 stories plus 2 car attached garage
R15	1,250 square feet, 1,500 square feet for duplex; 1,100 square feet for 1st floor of 2 stories plus 2 car attached garage
R10	1,000 square feet; 1,200 square feet for duplex plus 1 car attached garage
R7	1,000 square feet; 1,200 square feet for duplex plus 1 car attached garage (Ord. #06-674, June 2006, as amended by Ord. #10-747, Sept. 2010)

**14-206. Commercial district regulations.** (1) Statement of purpose. The commercial districts established in this title are designed to promote and protect the health, safety, morals, convenience, order, prosperity, and other aspects of the general welfare. These general goals include, among others, the following:

(a) To provide sufficient space, in appropriate locations in proximity to established residential areas, for local retail and service trades catering specifically to the recurring shopping needs of the occupants of nearby residences.

(b) To protect both retail and service developments and nearby residences against fire, explosions, toxic and noxious matter, radiation, and other hazards, and against offensive noise, vibration, smoke, dust and other particulate matter, odorous matter, heat, humidity, glare, and other objectionable influences.

(c) To protect both retail and service developments and nearby residences against undue congestion, by regulating the intensity of retail

and service developments consistent with their marketing functions, by restricting those types of establishments which generate heavy traffic, and by providing for off-street parking and loading facilities

(d) To provide sufficient and appropriate space, and in particular sufficient area, to meet the area's expected future need for modern, planned commercial floor space, including the need for off-street parking space in areas where a large proportion of customers come by automobile, and to encourage the tendency of commercial establishments to concentrate in integrated planned developments, to the mutual advantage of both consumers and merchants.

(e) To provide sufficient space in appropriate locations for commercial districts to satisfy specific functional needs of the area.

(f) To provide appropriate locations for transitional uses intervening between commercial developments and residential areas, and thereby alleviate the frictions inherent between dissimilar activities.

(g) To provide sufficient space in appropriate locations for all types of commercial and miscellaneous service activities.

(h) To prevent indiscriminate mixtures of commercial activity within commercial areas and the scattering of commercial activity along highways and within residential areas.

(i) To promote the most desirable use of land and direction of building development in accord with a well considered plan, to promote stability of commercial development, to strengthen the economic base of the area, to protect the character of the districts and their peculiar suitability for particular uses, to conserve the value of land and buildings.

(2) Purposes of commercial districts. Each commercial district has specific purposes as indicated below:

(a) CC - Core commercial - this class of district is designed to provide for a wide variety of activities in the central and oldest commercially developed areas of the city and to recognize the intense development pattern.

(b) CG - Commercial general - this class of district is designed to provide sufficient space in appropriate locations for activities engaged in wholesale trade, the warehousing of products with no objectionable characteristics, limited industrial uses, and compatible services. Other commercial uses are also permitted. These districts should be well separated from residential districts.

(c) CS - Commercial service - this class of district is designed to provide for a wide range of commercial uses concerned with retail trade and consumer services; amusement and entertainment establishments; automotive and vehicular service establishments; transient sleeping accommodations; eating and drinking places; financial institutions; and offices. The uses in this district service a wide market area and, therefore, ease of automotive access is a requirement. However, it is not intended

that this district permit uses which generate large volumes of truck traffic. Appropriate open space between commercial and residential areas is required.

(d) CSL - Commercial service limited - this class of district is designed to provide for a wide range of commercial uses concerned with retail trade and consumer services; however, certain commercial activities which have lower performance characteristics are excluded. Less building bulk is permitted and more open space is required.

(e) OP - Office professional - this class of district is designed to provide a low intensity commercial area for appropriate locations and a transitional zone between residential and intense commercial areas. Permitted uses are those which tend to attract small numbers of people and generate lower volumes of traffic. Less building bulk is permitted and more open space is required.

(f) CCO - Commercial core overlay district - this class of district is designed to create a mixed use area with buildings located close to the street in order to establish a walkable storefront streetscape. The district is an overlay for the base zone districts.

(g) INT - Interchange overlay district - this class of district is designed to provide for uses which are compatible only with highway travel and the accommodation of all-night and rest-stop services. The purpose of the district is not the establishment or encouragement of local or regional shopping areas which would inhibit the use of the interchange for its primary purpose of access between several highways or between highways and local roads. The interchange overlay district is an overlay for the base zone districts.

(3) Use and structure provisions. The uses and structures indicated herein may be permitted within the various commercial districts only in the manner and subject to any specific design criteria that apply. All uses shall take place within permanently constructed structures that meet all building code requirements except for temporary uses as authorized.

(a) Uses permitted:

(i) Principal permitted uses. Principal permitted uses for all commercial districts are established in Table I as presented in Appendix A.

(ii) Permitted accessory uses. In addition to the principal permitted uses, each activity type may include accessory activities customarily associated with, and appropriate, incidental, and subordinate to the principal activity located on the same zone lot. These include, but are not necessarily limited to the following:

(A) Off-street parking and loading serving a principal activity, whether located on the same zone lot or on a different zone lot, but only if the facilities involved are

reserved for the residents, employees, patrons or other persons participating in the principal activity.

(B) Childcare for pre-teenage children when operated by a health care, commercial or industrial activity where the care is provided solely for the children of their employees. The facility shall be located on the same zone lot as the principal activity and meet all applicable state and local regulations for a day care center for children.

(C) Residential occupancy in connection with a principal non-residential activity on the same zone lot, but only if:

(1) No more than one (1) dwelling or rooming unit is permitted,

(2) The unit is occupied by person(s) employed in the principal non-residential activity located upon the zone lot, and

(3) The non-residential activity does not constitute a hazardous occupancy.

(D) Operation of a cafeteria for employees, residents, patrons or others participating in the principal activity by an organization engaged in a community facility activity on the same zone lot. Where the principal activity is permitted by conditional use only, an accessory cafeteria must be approved as a part of the action granting said permit.

(E) Production of goods for sale by a firm engaged in a principal commercial activity on the same zone lot but only if in the CG or CS districts:

(1) All goods so produced are sold at retail by the same firm either on the same zone lot;

(2) Such production does not occupy more than forty-nine percent (49%) of the total floor area and open sales, display, storage and service area occupied by such firm on the zone lot;

(3) Such production does not in any case occupy more than two thousand (2,000) square feet of such floor area; and

(4) Such production may only be permitted in an enclosed building.

(F) Storage of goods sold by a principal commercial activity engaged in by the same firm on the same zone lot and in the same principal building, and such storage does not occupy more than forty-nine percent (49%) of the total floor area.

(G) Operation of an administrative office of a firm engaged in a principal manufacturing or commercial activity on the same zone lot, but only if such office does not occupy more than forty-nine percent (49%) of the total floor area and open sales, display, storage, production, and service area occupied by the same firm on the same zone lot.

(H) Signs permitted in accordance with the Goodlettsville Sign Ordinance.

(b) Conditional uses. Conditional uses permitted for consideration of the board of zoning appeals are established in Table I as presented in Appendix A.

(c) Prohibited uses. Any use or structure not specifically permitted by right or conditional use established in Table I as presented in Appendix A is prohibited. The use of a mobile home or similar structure as an office, storage space, retail space, or in any manner is expressly prohibited. Additionally, adult-orientated establishments as defined in title 14, chapter 2, § 14-201 are expressly prohibited.

(4) Bulk, lot, and open space requirements. The regulations appearing below apply to zone lots and buildings or other structures located on any zone lot or portion of a zone lot including all new development, enlargements, extensions, or conversions.

(a) Minimum lot size. Within all commercial districts, the minimum size lot and width of lot (measured at the building line) used for commercial purposes shall be as established in Table III as presented in Appendix A.

(b) Maximum lot coverage. Within all commercial districts, the maximum lot coverage by all buildings shall not exceed the percentage of lot area as established in Table III as presented in Appendix A.

(c) Maximum floor area ratio. Within all commercial districts, the maximum permitted floor area ratio shall be as established in Table III as presented in Appendix A.

(d) Maximum permitted height. No building shall exceed the height requirements as established in Table III as presented in Appendix A.

(e) Yard regulations. Within all commercial districts, the minimum yard regulations established in Table III as presented in Appendix A shall apply.

(5) Other regulations. The following regulations are supplementary and apply as indicated.

(a) Special provisions applying to required yards and building setbacks along district boundaries coincident with side and rear lot line of zone lot in any residential district.

In all commercial districts, along such portion of the boundary of a commercial district which coincides with a lot line of a zone lot in any residential district the following yard provisions shall apply.

(i) Special front setback. Regardless of the front yard provisions established for any commercial district, no building located on any zone lot adjacent to any residential district with frontage on the same street shall extend closer to the street than the average of the distances of the buildings located within one hundred feet (100') of the lot whereon the commercial activity is located; provided that no building shall be required to setback more than twice the minimum front yard applicable within the commercial district.

(ii) Special side and rear yards. Along all portions of the boundary of any commercial zone lot where such lot abuts or is contiguous to a side or rear yard of any residential zone lot the minimum yards within the commercial district shall generally conform to the respective yard requirements for the adjoining residential district. However, in no instance shall any rear or side yard required herein have a minimum width or depth of less than ten feet (10').

(iii) Buffer yards. Along all portions of the boundary of any commercial zone lot where such lot abuts or is contiguous to any residential zone lot without an intervening public street, an open area, unobstructed from the ground to the sky, shall be provided within the commercial district in accordance with the buffer yard standards contained in § 14-205(5)(o).

(iv) Screening along residential district boundaries. To assist in the prevention of the transmission of light and noise from within any commercial district into any abutting residential district, screening shall be required where such district abuts or is contiguous to any residential district, without an intervening street, alley, or other public way. Such screening shall be provided within the commercial district, but not within a public street or alley, along the entire contiguity of said districts. Screening shall be provided in accordance with the provisions of § 14-208(5)(o).

(b) Special height provisions applicable to commercial zoned properties including commercial planned unit developments within the defined interstate sign districts.

The planning commission may approve increased building height not exceeding seven (7) stories for properties within the defined interstate sign districts and the planning commission may extend the increased building story height to any properties adjacent to the properties within the interstate sign district that are adjacent to 165 or SR 386. The planning commission's review shall include a site plan design proposal

including sufficient information to determine that the water utility fire flows and water pressure availabilities and roadway and site design can support fire protection systems and equipment needed for the increased building story heights. The planning commission's review shall also include the visible impact of any adjacent one family detached residential zoned properties and subdivisions. All building proposals exceeding the maximum story height permitted in the commercial zoning district shall include information detailing that the proposed building design will not negatively reduce sun light and air flow onto adjacent properties and public right-of-ways including roadways, sidewalks, and walkways and the building design for portions of building exceeding the maximum story height permitted in the commercial zoning district include building design to support sun light and air flow onto adjacent properties and public right-of-ways including roadways, sidewalks, and walkways.

(c) Use of required yard areas.

(i) Within the CC district, the required front yard may be landscaped or used for sidewalk or street furniture locations and may be crossed by driveways. No parking areas shall be permitted. If side yard areas are provided, a minimum of ten feet (10') shall be used for landscaping along the side lot line. Rear yards may be used for parking subject to the provisions of § 14-206(a) above.

(ii) Within the CG districts, the required front yard shall be landscaped but may be crossed by driveways and sidewalks. All other required yard areas may be used for walkways, driveways, or parking subject to the provisions of § 14-206(a) above.

(iii) Within the CS, CSL, and OP districts, all required yard areas shall be landscaped provided that a driveway may penetrate not more than one-half (1/2) of any such side or rear required yard and subject to the provisions of § 14-206(a) above. The front yard may be crossed by driveways or sidewalks but shall not be used for parking.

(iv) Within all commercial districts in which gasoline sales are permitted, an overhead canopy that is open on all sides may encroach into the required building setback to within twenty-five feet (25') of the street right-of-way.

(d) Exterior storage.

(i) Within the CG and CS districts, exterior storage of goods, materials, or chattel is permitted only in the rear of the principal building provided that vehicular, craft, and related equipment sales may be permitted to display such in the front or side subject to required yard provisions. Waste disposal receptacles shall be located in the rear of the principal building within an

enclosure that is constructed of materials similar to the principal building. Such enclosure shall be screened from public view.

(ii) Within the CC, CSL, and OP districts, exterior storage of goods, materials, or chattel is prohibited. Waste disposal receptacles shall be located in the rear of the principal buildings within an enclosure that is constructed of materials similar to the principal building. Such enclosure shall be screened from public view.

(iii) All exterior storage areas shall be surfaced to provide a durable, dust-free surface. All areas shall be graded and drained so as to dispose of all surface water accumulated within the area.

(iv) Except for vehicular, craft, and related equipment sales activities, all exterior storage areas shall be screened from public view by a suitable fence, wall, or plant material screen. Fences and walls shall not exceed fifteen feet (15') in height, and metal materials shall be prohibited. All stored materials shall be kept at least one foot (1') below the top of such wall, fence, or screen.

(e) Special regulations applying to transient habitation.

(i) Hotels shall have a minimum of ninety (90) rooms and shall provide all of the services and amenities as defined. Rooms shall not be rented to the same person(s) for periods of time exceeding one (1) month.

(ii) Motels shall have a minimum of one hundred fifty(150) rooms and shall provide all of the services and amenities as defined. Rooms shall not be rented to the same person(s) for periods of time exceeding one (1) month.

(iii) All existing SROs are classified as non-conforming uses and are subject to the non-conforming use provisions contained in § 14-212. Any conversion of an existing motel or hotel to an SRO shall be prohibited.

(iv) Short term rental property (STRP) shall have no more than five (5) (sleeping rooms) and shall only be permitted within the following zoning classifications: Commercial Services Limited (CSL), Commercial Core Overlay (CCO), Commercial Services (CS), Commercial General (CG) and Core Commercial (CC).

(f) Utilities. All utility service connections shall be underground with utility lines commencing underground at the property line of the site unless otherwise approved by the Goodlettsville Regional/Municipal Planning Commission. All lighting plans must meet Nashville Electric Services street lighting design manual standards and any subsequent amendments to such manual and be approved by the Goodlettsville Municipal/Regional Planning Commission.

(g) Other regulations. (i) Alternative Financial Service Facilities shall include, but not be limited to, uses such as "cash advance" "check cashing," "pawnshop" and "title loan" establishments and shall be permitted in all districts that currently permit financial, consultative and administrative services identified at 14-202(7)(j).

(ii) No cash advance, check cashing, pawnshop or title loan establishment shall be located less than two thousand six hundred forty (2,640) linear feet from the property line of another property upon which another cash advance, check cashing, pawnshop or title loan office is located.

(iii) Cash advance, check cashing, pawnshop or title loan offices shall be limited to free-standing buildings of two thousand five hundred (2,500) square feet of gross floor area per establishment.

(h) Mobile food service vehicles subject to provisions of the City of Goodlettsville Municipal Code § 9-506. Except for special events, mobile food service vehicles that are located on private properties are permitted in commercial and industrial zoning districts where food and beverage service uses are permitted on properties located west of I-65 and shall not be within two hundred feet (200') of an existing building with a permanent food and beverage service facility.

(6) Commercial core overlay district. This district is intended to establish an urban core with an identifiable city center and to implement the Goodlettsville streetscape plan. The design features and standards included in this district are not only to create a memorable and positive impression upon entering the core area, but also to establish an image and character that is uniquely Goodlettsville.

(a) Application. The standards of the CCO shall be applied to those parcels and lots within the commercial base zoning and PUD districts as indicated as being within the CCO on the official zoning map and shall supercede any requirements that are in conflict herewith.

(b) Use provisions. In addition to the permitted uses of the zone districts, residential uses are permitted in the second or third stories of buildings with a commercial use on the first floor at a density not to exceed forty (40) dwelling unit(s) per acre. Minimum size requirements shall be as follows:

Efficiency and one (1) bedroom units	800 square feet
Two (2) bedroom units	1,000 square feet
Three (3) or more bedroom units	1,200 square feet

## (c) Bulk, lot and open space requirements.

Minimum lot area	10,000 square feet
Minimum street frontage	100 feet
Minimum front setback	15 feet
Minimum side setback	15 feet
Minimum rear setback	10 feet
Maximum lot coverage	50 percent
Maximum floor area ratio	1.0
Maximum height	4 stories

(d) Parking lot design. Parking lots are encouraged to be located in the rear of the principal building. The parking requirements of any use may be reduced by a proportional number of spaces if such spaces are permanently available in either shared or public parking lots located within two hundred fifty feet (250') of the affected lot.

A minimum open area of five feet (5') shall be maintained between the paved area of the lot and any side or rear property line. Such area shall be landscaped as specified below. Wherever a parking lot faces the street frontage, such frontage shall be screened.

The use of common driveways providing access to more than one (1) lot is encouraged.

(e) Site planning. Buildings shall be located such that the main entrance shall, with the exception of recessed entryways, directly face the street. Pedestrians shall have direct access to first floor uses from the street. A pattern of small-scale shops and uses should be encouraged by requiring twenty five (25') foot or fifty foot (50') building or storefronts within larger buildings that face the street.

On corner lots, front setback and building requirements should apply on both frontages, with either public or private streets. However, the corner of the building shall be recessed up to a maximum of ten feet (10') in order to create:

- (i) Pedestrian entrances with plazas or prominent entrances;
- (ii) Increased site distances;
- (iii) Enhanced designs for the entrance; and
- (iv) More architecturally-interesting buildings.

(f) Building facades. Building facades shall be designed with windows, doors, walls and other elements that proportionately fit together and are humanly scaled. Recessed doorways should be used, and

where the door is not recessed, door canopies or awnings should be incorporated into the design.

Transparent windows shall make up a minimum of sixty percent (60%) of the length of the first floor facade facing the street. Opaque and reflective windows tints and glazes are prohibited.

Corner buildings shall be designed with special architectural features including corner entries at ground level and projecting windows, towers, turrets and cupolas on the corners of the upper floors.

(g) Materials and colors. A minimum of fifty percent (50%) of the exterior building material placed on any building shall be varying shades of red brick. Other acceptable building materials include stone accents, painted stucco (Drivit), and painted or stained wood. Prohibited materials shall be as specified in § 14-208(4)(c).

(h) Signs. All building type signs shall be either wall signs or projecting signs and are subject to the requirements of the Goodlettsville Sign Ordinance, § 14-305 of this title, "permitted signs in commercial and industrial districts" by sign zone (this sign restriction shall not apply to properties fronting on Long Hollow Pike or Rivergate Parkway).

Ground sign subject to the requirements of the Goodlettsville Sign Ordinance, § 14-305 of this title, "permitted signs in commercial and industrial districts" by sign zone and ground signs not fronting on Long Hollow Pike or Rivergate Parkway shall not exceed six feet (6') in height and twenty (25) square feet in area. Ground signs shall be installed meeting the following minimum setback from the property line as listed:

4 sq. ft. and under	1 foot minimum setback
5-9 sq. ft.	2 feet minimum setback
10-16 sq. ft.	3 feet minimum setback
17-20 sq. ft.	4 feet minimum setback
21-25 sq. ft.	5 feet minimum setback

(i) Landscaping. The requirements of § 14-208(5), landscaping, buffering and screening shall generally not be applied within the CCO except as specifically referenced. The following sections shall apply:

Section 14-208(5)(h)(i) - parking areas - islands

Section 14-208(5)(h)(iii)(B) - parking areas - street fronts (this section shall also apply to any required open area between paved areas and side or rear lot lines.)

Section 14-208(5)(i)(i) - turf/groundcover

Section 14-208(5)(p)(2)(D) - transitional screening requirements - type 4 buffer yard

(j) Lighting. Exterior lighting fixtures, standards and exposed accessory lighting shall be compatible with the building design and shall be designed to direct the light downward unless decorative standards are utilized. However, "shoe box" type fixtures may be used. The maximum height of a fixture shall be twenty feet (20').

(k) Utilities. All new distribution utility lines shall be underground.

(l) Sidewalks. The development of each site shall include a sidewalk along the street frontage with a minimum width of eight feet (8').

(m) Town center. Properties listed in the designated town center area shall be under the above provisions but flexibility regarding building design and site planning are permitted to encourage mixed use multi-story buildings oriented toward the street. The planning commission during the site plan review process with recommendation from city planner and city engineer may waive the minimum building setbacks, maximum lot coverage, and maximum floor area ratio per this section to comply with the city's defined streetscape design. Buildings are required to comply with the requirements of this section except that brick and stone masonry is permitted as the primary building material with flexibly in primary building colors to promote creative and interesting quality building design. Development to be consistent with and compliment the city's defined streetscape design.

(7) Interchange overlay district. This district is intended to provide for uses which are compatible only with highway travel and the accommodation of all-night and rest-stop services.

(a) Application. The use provisions of the interchange overlay district shall be applied to those parcels and lots within the commercial base zoning and PUD districts as indicated as being within the INT on the official zoning map and shall control the use of property within the interchange overlay district.

(b) Use provisions. Within the interchange overlay district, only the following uses shall be permitted:

- (i) Fuel and service stations
- (ii) Hotels and motels
- (iii) Restaurants and drive-in restaurants
- (iv) Wireless communications facilities. (Ord. #06-674, June 2006, as amended by Ord. #13-806, Dec. 2013, Ord. #14-817, May 2014, Ord. #14-819, Aug. 2014, #15-843, April 2015, Ord. #15-837, June 2015, Ord. #16-873, Aug. 2016, Ord. #17-905, July 2017, Ord. #17-907, Sept. 2017, Ord. #18-928, Jan. 2019 *Ch4\_1-23-20* and Ord. #19-957, Nov. 2019 *Ch4\_1-23-20*)

**14-207. Industrial district regulations.** (1) Statement of purpose. The industrial districts established by this ordinance are designed to provide

sufficient space, in appropriate locations, to meet the needs for industrial expansion within the city; to encourage industrial development which is free from hazards to the public health and from other objectionable influences; to protect industrial activities against congestion, encroachment, and other adverse characteristics; to protect adjacent residential and commercial areas from offensive influences; and to promote the most efficient and desirable use of land. Within each industrial district, all uses are subject to the performance standards established in § 14-211 of this chapter.

(2) Purposes of industrial districts. Each industrial district has specific purposes as indicated below:

(a) Restrictive industrial district. This class of district is intended to provide space for a range of industrial and related uses which conform to a high level of performance standards and have the least objectionable characteristics. It is required that all operations of such establishments be carried on within completely enclosed buildings thus providing a standard of development which removes most adverse characteristics that affect neighboring properties. These districts may provide a buffer between other districts and other industrial activities which have more objectionable influences. New residential activities are excluded, and community facilities and commercial establishments which provide needed services for industry and are complementary thereto are permitted.

(b) General industrial district. This class of district is intended to provide space for the types of industrial activities which by reason of volume of raw materials or freight, scale of operations, type of structures required, or other similar characteristics require locations relatively well separated from non-industrial uses. Performance standards must still be met. New residential activities are excluded, and commercial establishments and community facilities which provide needed services for industry and are complementary thereto are permitted.

(3) Use and structure provisions. The uses and structures indicated herein may be permitted within the various commercial districts only in manner and subject to any specific design criteria that apply.

(a) Uses permitted.

(i) Principal permitted uses. Principal permitted uses for both industrial districts are listed in Table I as presented in Appendix A.

(ii) Permitted accessory uses. In addition to the principal permitted uses, each activity type may include accessory activities or structures customarily associated with, and appropriate, incidental, and subordinate to the principal activity located on the same zone lot. These include, but are not necessarily limited to the following:

(A) Off-street parking and loading serving a principal activity, whether located on the same zone lot or on a different zone lot, but only if the facilities involved are reserved for the residents, employees, patrons or other persons participating in the principal activity.

(B) Child care for pre-teenage children when operated by a health care, commercial or industrial activity where the care is provided solely for the children of their employees. The facility shall be located on the same zone lot as the principal activity and meet all applicable state and local regulations for a day care center for children.

(C) Residential occupancy in connection with a principal non-residential activity on the same zone lot, but only if:

(1) No more than one (1) dwelling or rooming unit is permitted,

(2) The unit is occupied by person(s) employed in the principal non-residential activity located upon the zone lot, and

(3) The non-residential activity does not constitute a hazardous occupancy.

(4) Operation of a cafeteria for employees, residents, patrons or others participating in the principal activity by an organization engaged in a community facility activity on the same zone lot. Where the principal activity is permitted by conditional use only, an accessory cafeteria must be approved as a part of the action granting said permit.

(5) Signs permitted in accordance with the Goodlettsville Sign Ordinance.

(b) Conditional uses. Conditional uses permitted for consideration of the board of zoning appeals as established in Table I.

(c) Prohibited uses. Any use or structure not specifically permitted by right or conditional use as presented in Table I is prohibited. Additionally, adult-oriented establishments as defined in § 14-201(3).

(4) Bulk, lot, and open space requirements. The regulations appearing below apply to zone lots and buildings or other structures, located on any zone lot or portion of a zone lot including all new developments, enlargements, extensions, or conversions.

(a) Minimum lot size. Within all industrial districts, the minimum size lot and width of lot (measured at the street line) used for permitted purposes shall be as established in Table IV as presented in Appendix A.

(b) Maximum lot coverage. Within all industrial districts, the maximum lot coverage by all buildings shall not exceed the percentage of lot area as established in Table IV as presented in Appendix A.

(c) Maximum floor area ratio. Within all industrial districts, the maximum permitted floor area ratio shall be as established in Table IV as presented in Appendix A.

(d) Maximum permitted height. No building shall exceed the height requirements as established in Table IV as presented in Appendix A.

(e) Yard regulations. Within all industrial districts, the minimum yard regulations established in Table IV as presented in Appendix A shall apply.

(5) Other regulations. The following regulations are supplementary and apply as indicated:

(a) Special provisions applying to required yards and building setbacks along district boundaries coincident with side or rear lot line of zone lot in any residential district

In all industrial districts, along such portion of the boundary of an industrial district which coincides with a lot line of a zone lot in any residential district or in a PUD, OP, or CSL district, the following yard provisions shall apply:

(i) Special front setback. Regardless of the front yard provisions established for any industrial district, no building located on any zone lot adjacent to any residential, PUD, OP, or CSL district with frontage on the same street shall extend closer to the street than the average of the distances of the buildings located within one hundred feet (100') of the lot whereon the industrial activity is located; provided that no building shall be required to setback more than twice the minimum front yard applicable within the commercial district.

(ii) Special side and rear yards. Along all portions of the boundary of any industrial zoned lot where such lot abuts or is contiguous to a side or rear yard of any residential, PUD, OP, or CSL, zone lot, the minimum yards within the industrial district shall generally conform to the respective yard requirements for the adjoining other district. However, in no instance shall any rear or side yard required herein have a minimum width or depth of less than ten feet (10').

(iii) Buffer yards. Along all portions of the boundary of any industrial zone lot where such lot abuts or is contiguous to any other use as specified in the transitional screening matrix contained in § 14-208(5)(p), a buffer yard shall be provided in accordance with the matrix

(iv) Screening along residential district boundaries. To assist in the prevention of the transmission of light and noise from within any industrial district into any abutting residential district, screening shall be required where such district abuts or is contiguous to any residential district, without an intervening street, alley, or other public way. Such screening shall be provided within the industrial district, but not within a public street or alley, along the entire contiguity of said districts. Screening shall be provided in accordance with the provisions of § 14-208(5)(p).

(b) Use of required yard areas

(i) Within the IR districts, all required yards shall be landscaped provided that a driveway or parking area may penetrate not more than one-half (1/2) of any required side or rear yard subject to the provisions of § 14-207(5)(a) above. The front yard may be crossed by driveways or sidewalks but shall not be used for parking.

(ii) Within the IG districts, the front yard shall be landscaped but may be crossed by driveways or sidewalks. All other required yard areas may be used for walkways, driveways, or parking areas.

(iii) Within all industrial districts in which gasoline sales are permitted, an overhead canopy that is open on all sides may encroach into the required building setback to within twenty-five feet (25') of the street right-of-way.

(c) Exterior storage.

(i) Within the IG districts, exterior storage of goods, materials, or chattel is permitted only in the rear of the principal building provided that vehicular, craft, and related equipment sales may be permitted to display such in the front or side subject to required yard provisions. Waste disposal receptacles shall be located in the rear of the principal building and shall be appropriately screened from public view.

(ii) Within the IR districts, exterior storage of goods, materials, or chattel is prohibited. Waste disposal receptacles shall be located in the rear of the principal buildings and shall be located inside an enclosure that is constructed of similar materials as the principal building. Such enclosure shall be appropriately screened from public view.

(iii) All exterior storage areas shall be surfaced to provide a durable, dust-free surface. All areas shall be graded and drained so as to dispose of all surface water accumulated within the area.

(iv) Except for vehicular, craft, and related equipment sales activities, all exterior storage areas shall be screened from public view by a suitable fence, wall, or plant material screen.

Fences and walls shall not exceed fifteen feet (15') in height, and metal materials shall be prohibited. All stored materials shall be kept at least one foot (1') below the top of such wall, fence, or screen.

(v) Utilities. All utility services connections shall be underground and shall commence at the property line unless otherwise approved by the Goodlettsville Municipal/Regional Planning Commission. All lighting plans must meet Nashville Electric Services street lighting design manual standards and any subsequent amendments to such manual and be approved by the Goodlettsville Planning Commission. (Ord. #06-674, June 2006)

**14-208. Supplementary district regulations.** (1) Regulations applicable to all districts. (a) Visibility at intersections. On a corner lot in any district nothing shall be erected, placed, planted, or allowed to be grown in such a manner as materially to impede vision between a height of two and one-half (2 1/2) and ten feet (10') above the center line grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines fifty feet (50') from the point of the intersection.

(b) Fences, walls, and hedges. Notwithstanding other provisions of this ordinance, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard except as prohibited in § 14-208(1)(a) above.

In any residential district, no fence or wall shall exceed eight feet (8') in height and shall not extend past the front of the principal building. Between the front of the principal building and the street right-of-way, no fence or wall shall exceed six feet (6') in height.

In commercial or industrial districts, no fence or wall shall exceed fifteen feet (15') in height and shall not extend past the front of the principal building. Between the front of the principal building and the street right-of-way, no fence or wall shall exceed six feet (6') in height.

The height of such fences and walls shall be measured from the finished grade to top of the individual sections. Such sections may be measured separately and averaged.

(c) In all residential districts, except for residential planned unit development districts, no lots shall have erected thereon more than one (1) principal building. Principal buildings and additions as well as additions in residential districts consisting of wall, roof, floor, and foundation connections shall meet the requirements of the applicable zoning district. Permitted limited connection additions in residential districts and accessory buildings in all districts shall meet the following requirements in items (d) and (e) and the requirements of the applicable zoning district. To ensure order in site developments including building

and lot bulk standards and the compatibility of buildings constructed on-site, all buildings and structures and additions and accessory buildings regardless of square footage, and accessory buildings or structures in residential districts which exceed three hundred seventy-five (375) square feet shall be constructed of roof and exterior wall materials consistent with the primary roof and exterior wall materials of the principal building or structure. On primary roof and exterior wall materials of the principal large acreage Agricultural and R-40 zoned properties consisting of five (5) or more acres, accessory building(s) or structure are not required to be constructed of consistent materials of the primary building if the accessory building(s) or structure is constructed entirely behind and separate from the primary building and is constructed per the building setbacks of the zoning district. The primary exterior wall and roof materials of the principal building shall be extended on all sides of the exterior walls and roof of additions or accessory buildings or structures. In the case of principal buildings or structures with multiple exterior wall materials, the addition and accessory building or structure may be constructed of materials at the same ratio of the principal building or structure. Alternative designs for large acreage properties as referenced above and alternative designs that exceed the purpose and intention of the items referenced above with single family and duplex residential building and structures may be approved by planning and development services staff. Staff's decision on alternative designs may be appealed to the planning commission for review. All other building and structures shall meet site and architectural design standards and the Goodlettsville Design Guidelines.

(d) Residential limited connection addition. No limited connection building or structure shall be erected between a front lot line and a front wall of the principal building or structure. In addition limited connection addition buildings or structure shall:

- (i) Be customarily incidental to the principal building or structure.
- (ii) Be subordinate to and serve such principal use.
- (iii) Be subordinate in area, intent and purpose to such principal use and shall not exceed seventy percent (70%) of the primary building square footage.
- (iv) Contribute to the comfort, convenience, or necessity of users of such principal use.
- (v) Not exceed the height of the principal building or structure.
- (vi) Be constructed on a concrete foundation with solid floor system with the foundation, floor system, and roof system connected to the principal building or structure.

(e) Accessory buildings. No accessory building or structure shall be erected between a front lot line and a front wall of the principal building or structure. In addition accessory buildings or structures shall:

(i) Be customarily incidental to the principal use established on the same lot.

(ii) Be subordinate to and serve such principal use.

(iii) Be subordinate in area, intent, and purpose to such principal use.

(iv) Contribute to the comfort, convenience, or necessity of users of such principal use.

(v) Building or structure shall not exceed the height of the principal structure.

(vi) No accessory use or building and structure shall be constructed or established on any lot prior to the time of construction of the principal structure to which it is accessory. This section shall not be construed to govern the sequencing or phasing of a construction project in which both the principal and accessory structures are to be built simultaneously.

(vii) In residential districts, total area of accessory building(s) or structure(s) with a roof shall not exceed seventy percent (70%) of the area of the principal building. The maximum square footage for accessory and principal buildings are also subject to the defined maximum building lot coverage requirements and maximum floor area ratios defined by the ordinance.

(viii) In residential districts, the building or structure shall not exceed the height of the principal building or structure and in no case exceed eighteen feet (18') in height from the highest point of the building or structure to the finished floor.

(f) Minimum spacing of buildings on a single zone lot. In districts where permitted, the minimum distance between any two (2) buildings on any single zone lot shall be as provided in this section, except that these provisions do not apply to space between a building enclosing a principal permitted use and a garage or other unoccupied building accessory thereto.

(i) Minimum distance between buildings. Within the districts as permitted, two (2) or more buildings may be constructed on a single zone lot if parking spaces and usable open space are and will continue to be available in the same proportion to all occupants of the buildings on the lot. The minimum distance between such buildings shall vary according to the height and length of a building combined with the amount of glassed area of the walls. Such minimum distance shall be either twenty-five feet

(25') or the distance required under the following standards, whichever is greater:

(A) Where two (2) opposing walls contain no glassed area, required or other, separation shall be as required by fire regulations;

(B) Where a wall contains twenty-five percent (25%) or more of the glassed area, the building separation shall be ten feet (10') plus two feet (2') for each story in height plus one foot (1') for each fifteen feet (15') of building length;

(C) Where a wall contains some, but less than twenty-five percent (25%) of the glassed area of any building, the building separation shall be five feet (5') plus one foot (1') for each fifteen feet (15') of building length.

This section shall not apply to any situation which would permit a mobile home to be moved onto a lot occupied by a house.

(ii) Minimum required yard area. Regardless of the orientation of buildings, no less than the minimum yards required by the district regulations in which such development is located shall be maintained along the outer boundaries of the zone lot.

(iii) Minimum distance between windows and side or rear lot lines for buildings greater than three stories in height other than detached dwellings. In all districts, as applicable, any window contained within a building designed for residential occupancy and having more than three (3) stories shall be a minimum of thirty feet (30') from any side or rear lot line. Said distance shall be measured in a horizontal plane at the windowsill level and perpendicular to such window.

(iv) Subdivision of zone lot after development. In all districts, after any portion of a zone lot has been developed under the provisions of this section, such zone lot may be subdivided into smaller zone lots only if each resulting zone lot and building or buildings thereon comply with all of the appropriate regulations pertaining to bulk, yards, open space, and parking and loading requirements of the district in which they are located.

(g) Exception to height regulations. The height limitation contained in the district regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

(h) Structures to have access. No building shall be erected on a lot which does not abut at least one (1) public street for at least fifty feet (50'). This section shall not apply to properties abutting a cul-de-sac, which shall abut the street for at least forty feet (40'); or to properties

whose access is provided by a private easement; provided, however, that when a permanent easement to a public street is used as access to a lot or tract of land having been or being separated by deed or plat from other property, such easement shall be at least fifty feet (50') in width from and after the time of adoption of this ordinance and shall not be used to provide access to more than one (1) lot or tract of land. This section shall not be construed to prohibit the development of buildings on lots or tracts with permanent access provided by private streets provided such development is in the form of condominium ownership of such private improvements which has been approved by the Goodlettsville Municipal/Regional Planning Commission and will be in private ownership and control in perpetuity.

(i) Rear yard abutting a public street. When the rear yard of a lot abuts a public street, all structures built in that rear yard shall observe the same setback from the street line, center line of the street, or property line, as required for adjacent properties which front on that street. In addition, any structure located within twenty-five feet (25') of that setback line shall be no closer to any side property line than the distance required for side yards on adjoining properties fronting on that street.

(j) Corner lots. The side yard setback requirements for corner lots shall be the same as the front setback requirements for the next adjacent lot fronting on the street that the side yard of the corner lot faces.

(k) Future street lines. For the purpose of providing adequate space for the future widening of streets, required setbacks, or front yards shall be determined by the rights-of-way as shown in the most current official major thoroughfare plan.

(l) Reduction in lot area prohibited. No zone lot, even though it may consist of one (1) or more adjacent lots of record, shall be reduced in area so that yards, lot area per family, lot width, building area, or other requirements of this title are not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose.

(m) Parking, storage, or use of major recreation equipment. For purpose of these regulations, major recreational equipment is defined as including boats and boat trailers, travel trailers, tent trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No major recreational equipment shall be parked or stored on any lot in a residential district in any front yard; provided, however, that such equipment may park anywhere on residential premises not to exceed twenty-four (24) hours during loading or unloading. No such equipment shall be used for living, sleeping, or

housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.

(n) Special provisions for the continuance and extension of public streets and utilities through development sites remaining in single ownership.

(i) Purpose. It is held to be in the public interest to protect the health, safety, and welfare of residents of developments, which by reason of ownership or method of development places numerous dwellings on a single parcel of ground in which the ownership remains undivided, and the general public by providing for the orderly continuance of street patterns and the extension of utilities service, drainage ways, etc., through such developments. It is the purpose and intent of these provisions to protect that interest by enabling the extension of these facilities by the dedication of easements, rights-of-way, etc., through such sites.

(ii) Requirement for site plan and plat. Within such developments as described above the following shall apply:

(A) A site plan meeting the provisions of § 14-208(4) shall be submitted and approved.

(B) In any instance where a portion of the site or any facilities or utilities located on the site are to be dedicated for public use, a plat meeting the requirements set forth below shall be prepared, submitted for approval, and upon approval, filed with the county register.

(iii) Contents of required plat. The following information shall appear on all plats prepared in accordance with the provisions contained within this section:

(A) A boundary survey of the site indicating the location and dimensions of all boundary lines of the property expressed in feet and decimals of a foot;

(B) The location and width of all streets, easements, rights-of-way, or other properties located within the site which are to be dedicated to the public. The purpose and restrictions concerning all easements shall be noted;

(C) The size and location of all utility lines and necessary valves, connections and other appurtenances which comprise utilities to be dedicated to the public;

(D) The distance and bearing from one (1) point along the boundary of the development to an established survey monument;

(E) Certificate of accuracy, dedication, and acceptance as may be necessary to establish transfer of all

dedicated properties and facilities (format of certificates may be taken from the subdivision regulations).

(o) Temporary use permits. The following regulations shall govern the operation of certain necessary or seasonal uses which are nonpermanent in nature. Application for a temporary use permit shall be made to the board of zoning appeals through the office of the planning director. Said application shall contain a graphic description of the property to be utilized and a site plan, a description of the proposed use, and sufficient information to determine yard requirements, setbacks, sanitary facilities, signage and parking space for the proposed temporary use. Area and bulk regulations of the district in which the use is proposed to be located shall apply as well as the requirement for ingress/egress and surfacing requirements for parking areas. The board may require additional standards to protect the public safety and to reduce any actual or potential adverse off-site impacts.

The board may grant such temporary use permits for the following uses subject to a public hearing, the specific regulations and time limits below, and any other limitation that may be necessary to protect adjoining property. After a temporary use permit has been properly granted, the board may authorize such use to be thereafter approved by administrative action of the planning director provided that no change in the character or layout of such use is proposed and provided that proper public notice is given.

(i) Carnival or circus. A temporary use permit may be issued in the CS, CG, IR, and IG districts; however, such permit shall be issued for a period of not longer than fifteen (15) days. Such use shall only be permitted on lots where adequate off-street parking can be provided and where adjoining uses will not be affected. A temporary use permit may be issued in any commercial district for children's rides and events provided that adequate parking and traffic circulation is available, any existing business operations will not be disrupted and subject to a maximum time period of seven (7) days.

(ii) Christmas tree sale. A temporary use permit may be issued for the display and sale of Christmas trees on open lots in any district subject to a maximum time period of forty-five (45) days.

(iii) Temporary dwelling unit in cases of special hardship. In any residential district, a temporary use permit may be issued to place a mobile or modular home temporarily on a lot in which the principal structure was destroyed by fire, explosion or natural phenomena. The purpose of such placement temporarily shall be to provide shelter for only the residents of the principal structure during the period of reconstruction and to prevent exceptional

hardship on the same. Water supply and appropriate sewage disposal must be available. Such permit may be initially issued for nine (9) months, and one (1) extension for up to six (6) months may be granted.

(iv) Fireworks sales, flea markets, and others. A temporary use permit may be issued for fireworks sales and flea markets in any commercial or industrial district, provided that a permit for fireworks sales shall be limited to twenty-one (21) days, a permit for flea markets shall be limited to three (3) days, and all others shall be limited to seven (7) days; provided further, that adequate parking and traffic circulation is available and any existing business operations will not be disrupted.

(v) Outdoor displays, sales of seasonal foods or merchandise. A temporary use permit may be issued for outdoor displays and sales conducted either as a part of an existing business or as a free-standing use in any commercial or industrial district provided that such sales and displays shall be limited to a maximum of sixty (60) days per year, and provided further, that adequate parking and traffic circulation is available and any existing business operations will not be disrupted.

(vi) Outdoor performances. A temporary use permit may be issued for outdoor plays or musical performances in any commercial or industrial district as a part of an existing business or as a free-standing use provided that adequate parking and traffic circulation is available and any existing business operations will not be disrupted, provided further, that in the event amplified sound systems are used, such sound shall not be a public nuisance nor be conducted later than 10:00 P.M. A temporary use permit may be issued for outdoor plays or musical performances in any residential or agricultural district provided that any traffic generated by the temporary use shall not use minor residential or neighborhood streets and can be accommodated on major thoroughfares or collector streets, and provided further, that in the event amplified sound systems are used, such sound shall not be a public nuisance nor be conducted later than 10:00 P.M. Such permits shall be limited to two (2) days. The board may consider requests for extensions.

(p) Requirements for home occupations. Any home occupation shall meet the following requirements:

(i) No person other than members of the family residing on the premises shall be engaged in such occupation;

(ii) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by the occupants, and not more than twenty-five percent

(25%) of the floor area of the dwelling unit shall be used in the conduct of the home occupation;

(iii) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one (1) sign, not to exceed one (1) square foot in area, non-illuminated, and mounted flat against the wall of the principal building;

(iv) No home occupation shall be conducted in any accessory building;

(v) There shall be no sales on the premises in connection with such home occupation;

(vi) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard;

(vii) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot;

(viii) The home occupation shall not involve the storage of commercial vehicles nor the use of such vehicles for delivery of goods or materials to and from the premises;

(ix) No home occupation shall require internal or external alterations, construction features, or the use of any equipment that would change the fire rating of the structure;

(x) No outdoor display of goods or outside storage of equipment, parts, or materials of any kind used in the home occupation shall be permitted; and

(xi) The following are specifically prohibited as home occupations:

(A) The repair of motor vehicles.

(B) A barber or beauty shop or any similar activity where clientele or patrons are served on the premises.

(q) Permitted obstructions in required yards. In all districts, the following shall not be considered obstructions when located within a required yard except these items shall comply with § 14-208(1)(a) and (b).

(i) In any yard:

(A) Arbors and trellises.

(B) Awnings or canopies projecting from a building wall over a required yard not more than six feet (6') and having no supports other than provided by the wall or its integral parts.

(C) Chimneys projecting not more than three feet (3') into and not exceeding two percent (2%) of the area of the required yard.

(D) Eaves, gutters, or downspouts projecting into or over required yards not more than twenty-four inches (24") or twenty percent (20%) of the width of such yard, whichever is the lesser distance.

(E) Fire escapes or staircase, the riser of which shall be at least fifty percent (50%) open and whose vertical projection downward into a required yard does not project more than three feet (3') into, and not exceeding ten percent (10%) of the area of the required yard.

(F) Flag poles having only one (1) structural ground member.

(G) Fountains.

(H) Mail boxes.

(I) Open terraces, including natural plant landscaping.

(J) Retaining walls.

(K) Signs as permitted by the Goodlettsville Sign Ordinance.

(M) Sculpture or other similar objects of art.

(N) Street furniture such as, but not limited to, benches, drinking fountains, trash receptacles, ash trays, light standards, and directional signs.

(ii) In any rear or side yard and located behind the principal structure:

(A) Clothes poles or clothes lines

(B) Recreation equipment

(C) Garages and storage buildings provided that a five foot (5') setback from the property line is observed.

(r) Portable building regulations. A portable building is defined as any structure enclosed by walls and a roof designed to be transported on its own wheels or on a flatbed truck or trailer and delivered to a site ready for occupancy or use. This definition shall not include mobile homes as defined elsewhere herein or factory manufactured modular units which comply with the International Code Council (ICC).

(i) In any residential zone, a portable building shall be an accessory use and used only for storage of materials commonly incidental to the occupancy of the principal residential use. Such portable buildings shall meet all requirements for setbacks and building coverage. The use of a movable trailer or a metal storage structure brought into an area by truck shall not be allowed as an accessory portable building included in this section. Such movable

trailers or metal storage structures may be utilized for temporary storage during remodeling or for household moves but shall be located on the premises no longer than sixty (60) days.

(ii) In all other districts, no portable building may be used for any kind of human occupancy. Such buildings may be used for storage in zoning districts that permit outside storage as otherwise permitted herein provided all site planning and architectural review standards are met.

(iii) Mobile homes as defined may be used only for residential occupancy and may be located only in approved or existing mobile home parks.

(iv) In the event of damage or destruction of an existing building caused by fire, explosion or natural disaster that results in the building being unusable, the codes director may issue a temporary building permit for a portable building to be used as emergency quarters while the permanent building is being reconstructed. Such permit shall expire and the portable building removed when reconstruction is complete.

(v) In any district, the codes administrator may issue a temporary building permit for a contractor's temporary office and equipment sheds which are incidental to a construction project. Such buildings or sheds shall be removed at the time of completion of the project.

(vi) Donation bin. (A) Location: A donation bin is a permitted accessory uses of commercial and industrial uses and properties containing high density residential developments.

The donation bin shall be located a minimum twenty feet (20') from the front property line or the minimum front building setback lines when less than twenty feet (20').

The donation bin shall be located on a developed site and located so access to the bin and storage of the bin are on an asphalt or concrete surface and are not located in a parking space required to meet the minimum zoning requirements for the property land use and are not located in an area that limits or conflicts with the site vehicular and pedestrian access.

(B) Number: No more than one (1) donation bin shall be located on a property or per development in the case of high density residential developments. The designated donation bin area shall not exceed twenty-five (25) square feet.

(C) Application process: Applicant to submit a written request including contact information for the

applicant and property owner, maintenance and collection schedule of the donation bin, and a drawing showing location of donation bin and existing site developments. Planning director or codes administrator staff shall review and approve or deny application within ten (10) working days. Failure to notify the applicant of approval or denial will result in automatic approval of the application.

(D) Maintenance and violation: Applicant to comply with maintenance and collection schedule and violations shall subject applicant to the violation and penalties section of the zoning ordinance. The approval may be voided after formal notice to applicant due to repeated violations

(2) Off-street parking and loading requirements. The following regulations are adopted in order to provide needed space off the streets for parking or loading and unloading vehicles, to lessen congestion in the streets, to improve traffic safety, to provide for a higher standard of development, and thus, to promote and protect the public health, safety, and welfare.

The provisions of this section apply to all activities as set forth in this ordinance.

(a) General provisions. In all districts, accessory off-street parking, open or enclosed, shall be provided in conformity with the requirements set forth in this section for all uses. In addition, all other applicable requirements of this section shall apply as a condition precedent to the use of such development.

A parking space is required for a portion of a unit of measure one-half (1/2) or more of the amount set forth herein. For an enlargement or modification resulting in a net increase in the floor area or other applicable unit of measurement specified herein, the same requirements shall apply to such net increase in the floor area or other specified unit of measurement.

In the case of uses where the board of appeals is required to prescribe the number of parking spaces, it shall base its determination on recommendations from the Goodlettsville Municipal/Regional Planning Commission and such other factors as the traffic generation of the facilities, the time of operation of such facilities, their location, and other such factors as affect the need for off-street parking as required under the conditional use provisions.

(b) Residential activities:

(i) Permanent:

(A) One (1) family detached, two (2) family detached dwellings, attached, and semi-detached:

Two (2) spaces per dwelling unit.

(B) Multi-family dwelling (three (3) dwelling units or more):

One and one-half (1 1/2) spaces for each dwelling unit with one (1) bedroom; two (2) spaces for each dwelling unit with two (2) or more bedrooms.

(C) Mobile homes:

Two (2) spaces per mobile home.

(D) Where occupancy is to be primarily elderly persons over the age of sixty (60), the number of developed spaces may be reduced to one (1) space per unit. There must be room on the lot to provide one and one-half (1 1/2) spaces in the future.

(ii) Semi-permanent:

(A) Boarding or rooming house, apartment hotel:

One (1) space for each dwelling or rooming unit

(c) Community facility activities. Accessory off-street parking shall be provided for the specified number of square feet of gross floor area of seating capacity or other specified unit of measurement (or fraction of one-half (1/2) or more thereof for the following activity types:

<u>Activity type</u>	<u>Unit of measurement</u>
Administrative	One (1) space for each three hundred (300) sq. ft. of gross floor area, plus one for each three (3) employees.
Community assembly	One (1) space for each two (2) seats or one-half (1/2) of capacity in persons whichever is greater.
Community education	Kindergarten and nursery: one (1) space for each employee plus one (1) space for each four (4) students.  Elementary and middle schools, grade 1-7: two (2) spaces for each classroom or one (1) space for each five (5) seats in the auditorium or one (1) space for each four (4) students, teachers, and employees, whichever is greater.  High school, grades 8-12: four (4) spaces for each classroom or one (1) space for each give five (5) seats in the

auditorium or one (1) space for each four (4) students, teachers, and employees, whichever is greater.

Vocational or trade schools: one (1) space for each one thousand (1,000) sq. ft. of gross floor area, plus one (1) space for each six (6) seats in any associated auditorium.

Cultural and recreation services

Art galleries, libraries, museums, zoological and botanical gardens, planetariums and aquariums: one (1) space for each eight hundred (800) sq. ft. of gross floor area.

Swimming pools thirty percent (30%) of capacity.

Parks, playgrounds and play-fields: ten (10) spaces for each acre of land devoted to recreation, plus one (1) space for each four (4) spectator seats.

Recreation centers and gymnasiums: fifty percent (50%) of the capacity, plus one (1) space for each two (2) employees.

Essential services

Two (2) spaces per facility. The board may require more spaces as needed.

Extensive impact

Airports, air cargo terminals, heliports, or aeronautical devices:

One (1) space for each two (2) employees, plus one (1) space for every one hundred (100) sq. ft. of gross floor area.

Correctional or detention institutions: one (1) space for each two (2) employees, plus one, (1) space for each patrol car.

Electricity generating facilities, radio and television towers, and transmission facilities: two (2) spaces minimum. The board may require more.

Railroad, bus, and transit terminals: one (1) space for each one hundred (100) sq. ft. of waiting room.

Railroad yards and other transportation equipment marshaling and storage yards: one (1) space for each two (2) employees.

Stadiums, sports arenas, auditoriums, and bandstands: one (1) space for each four (4) seats.

Water and sewage treatment plants: one (1) space for each employee.

All other activities: the board shall determine based upon pertinent factors of the use.

#### Health care facilities

Centers for observation or rehabilitation, convalescent homes: one (1) space for each four (4) beds, plus one (1) space for each one thousand (1,000) sq. ft. of gross floor area.

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

Medical or dental clinics: five (5) spaces for each staff member or doctor or dentist or two (2) spaces for each treatment or examination room, whichever is greater.

#### Intermediate impact

Colleges, junior colleges, and universities: one (1) space for each one thousand (1,000) sq. ft. of gross floor area suited for academic purposes, plus one

(1) space for each six (6) seats in an auditorium, arena, or stadium on the same lot.

All other activities: the board shall determine based upon the pertinent factors of the use.

Personal and group care

Associations for physically or mentally handicapped: one (1) space for each employee.

Day care centers: one (1) space for each employee plus (1) space for each five (5) children.

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

Senior citizen centers: for high-rise apartments - three-quarters (3/4) spaces per unit; for other type of detached or low-rise attached units - one (1) space per unit.

Religious facilities

All activity types: one (1) space for each three (3) seats.

(d) Commercial activities. One (1) accessory off-street parking space shall be provided for the specified number of square feet of gross floor area (or fraction thereof) or other measures as noted for the following activities:

Activity

Gross floor area (square feet)

Animal care and veterinarian services

two hundred fifty (250)

Automotive services and repair

One (1) space for each employee, plus Four (4) spaces for each service bay.

	For oil change shops: two (2) spaces for the use plus two (2) spaces per oil change bay.
Building materials and farm equipment	One thousand (1,000), plus one (1) space for each employee.
Consumer repair services	Two hundred fifty (250)
Construction sales and services	One thousand (1,000)
Convenience commercial	Two hundred fifty (250)
Entertainment and amusement services	
Art galleries	Eight hundred (800)
Batting and golf ranges	To be determined by the board.
Bowling alley	Five (5) spaces for each alley.
Billiard parlor	Three hundred (300)
Coin operated amusement arcades	Two hundred (200)
Dance halls, studios, schools and skating rinks	One hundred (100)
Exhibition halls, auditoriums	Forty percent (40%) of capacity
Motion picture and legitimate theatre	One (1) space for each five (5) seats.
Financial, consultative, and administrative services	Two hundred fifty (250)
Food and beverage services	One (1) space for each two (2) seats
Food service drive-in or drive-thru	One hundred fifty (150)
General business and communications services	Four hundred (400)
General personal services	
Funeral and crematory	

services	One (1) space for each one hundred (100) sq. ft. of gross floor area or where a chapel is provided one (1) space for each four (4) seats.
Health club	One hundred fifty (150)
Mini-warehouse	One (1) space fore each twenty (20) storage stalls plus two (2) spaces per manager's residence.
All others	Four hundred (400)
General retail trade	Two hundred fifty (250)
Furniture stores	Five hundred (500)
Group assembly	One (1) space for each four (4) seats or as determined by the board.
Medical and professional services	Two hundred (200)
Transient habitation	One (1) space for each room to be rented; plus one (1) space for each two (2) employees.
Transportation and warehousing	Two thousand (2,000) Plus one (1) space for each five thousand (5,000) sq. ft. of open storage area.
Vehicular, craft, and related equipment	Five hundred (500)
Wholesale sales	One thousand (1,000)
Commercial PUD or commercial complex	
0 - 400,000 sq. ft.	Four (4) spaces per thousand (1,000) sq. ft. of gross leaseable area (GLA).
400,000 – 600,000 sq. ft.	Four and one-half (4 1/2) spaces per one thousand (1,000) sq. ft. of GLA.
600,000 – 1,000,000 sq. ft.	Five (5) spaces per one thousand (1,000) sq. ft. of GLA.

Over 1,000,000 sq. ft. Five and one-half (5 1/2) spaces per one thousand (1,000) sq. ft. of GLA.

(e) Manufacturing activities. One (1) space for each one thousand five hundred (1,500) square feet of gross floor area or one (1) space for each three (3) employees during the largest shift, whichever is greater.

(f) Agricultural, resource production, or extractive activities.

Agricultural services One (1) space for each employee and for veterinary services, one (1) space for each three hundred (300) sq. ft. of gross floor area.

Confined animal feeding operations To be determined by the board.

Mining, drilling, and quarrying One and one-half (1 1/2) spaces for each two (2) employees.

Plant and forest nurseries Five (5) spaces, plus one (1) space for each employee and one (1) space for each five (5) acres.

(g) Combination of required parking space. The required parking space for any number of separate uses may be combined in one (1) lot, but the required space assigned to one use may not be assigned to another use, except that the parking space required for churches, theaters, or assembly halls whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night or on Sunday.

(h) Off-site parking requirements. Off-street parking space accessory to any permitted use may be located on a zone lot other than the same zone lot as such use to which the spaces are accessory, provided that:

(i) Such spaces are not located within a residential or agricultural district;

(ii) There is no way to arrange such spaces on the same zone lot as such use;

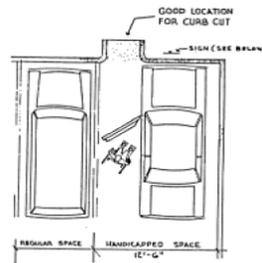
(iii) Such spaces are located to draw a minimum of vehicular traffic to and through streets having predominantly residential frontage;

(iv) Such spaces are located no further than two hundred feet (200') from the nearest boundary of the zone lot to which they are accessory;

(v) Such spaces are in the same ownership as the use to which they are accessory and necessary instruments are executed to ensure the required number of spaces will remain available throughout the life of such use; and

(vi) Such spaces conform to all applicable district regulations of the district in which they are located.

**ILLUSTRATION**  
Design Details for Handicapped Spaces



(i) Special provisions for handicapped parking. The following provisions shall apply to all uses and structures for which handicapped parking spaces are required.

(i) Number of spaces required

Spaces per lot total	Minimum No. H/C	Van accessible 96" with 96" access	Accessible parking 96" with 60" access
1 to 25	1	1	0
26 to 50	2	1	1
51 to 75	3	1	2
76 to 100	4	1	3
101 to 150	5	1	4
151 to 200	6	1	5
201 to 300	7	1	6
301 to 400	8	1	7

Spaces per lot total	Minimum No. H/C	Van accessible 96" with 96" access	Accessible parking 96" with 60" access
401 to 500	9	2	7
501 to 1000	2% of Total		

(ii) Dimensions and location of spaces. Handicapped parking spaces shall be sized according to the above table and be located on the shortest accessible route of travel to an accessible entrance. An accessible route shall be provided from the accessible parking to the accessible entrance. Such route shall be a minimum of three feet (3') wide, have stable, slip resistant surface and shall have a slope no greater than 1:12.

(iii) Signage. All handicapped parking places shall have signage meeting ADA requirements.

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

<u>Total usable floor area</u>	<u>Space required</u>
0 to 4,999 sq. ft.	One (1) space
5,000 to 9,999 sq. ft.	Two (2) spaces
10,000 to 14,999 sq. ft.	Three (3) spaces
15,000 to 19,999 sq. ft.	Four (4) spaces
Over 20,000 sq. ft.	Four (4) spaces, plus one (1) space for each additional 20,000 sq. ft.

The board of appeals may reduce or increase this requirement in the interest of safety where unusual or special conditions are due considerations.

All such loading and unloading areas shall be surfaced with asphalt, concrete, or other durable dust-free surface.

(3) Development and operational standards for mobile home park. The following standards and requirements shall apply to all mobile home parks permitted by the mobile home park district.

(a) Permit. (i) Application for permits. The construction or extension of a mobile home park may not commence within the area of jurisdiction of this chapter until a zoning permit has been issued by the codes director. A zoning permit may be issued for a mobile home parking only upon approval the required zoning district and approval by the Goodlettsville Municipal/Regional Planning Commission of the site plan.

Where conditions are attached by the Goodlettsville Municipal/Regional Planning Commission they shall be included as part of the zoning compliance certificate.

(ii) Site plan required. A zoning permit may only be issued for the construction or extension of a mobile home park upon submission and approval by the Goodlettsville Municipal/Regional Planning Commission of a site development plan meeting the minimum requirements of § 14-213(6)(b).

(iii) Inspection fee. An inspection fee shall be required for approval of a mobile home park which shall be made upon submission of a plan for approval. After completion of construction, a final inspection shall be made at no additional charge.

(A) The inspection fee shall be ten dollars (\$10.00) per year plus two dollars (\$2.00) per space. The fee is non-refundable.

(B) The inspection fee shall be paid annually upon inspection of the mobile home park by the codes director.

(b) Development standards. i. General. (1) No part of the park shall be used for nonresidential purposes, except such uses as are required for the direct servicing and well being of park residents and for the management and maintenance of the park. Nothing contained in this section shall be deemed as prohibiting the sale of a mobile home located on a mobile home stand and connected to the pertinent utilities.

(C) Conditions of soil, ground water level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, dust, noise, odors or other adverse influences, and no portion subject to flooding or

erosion and shall be used for any purpose, which would expose persons or property to hazards.

(ii) Minimum development size. No mobile home park shall be approved which contains less than three (3) acres in area or has less than fifteen (15) mobile home spaces.

(iii) Density. The number of mobile homes permitted within any mobile home park shall not exceed seven (7) units per acre. Along the entire periphery of a mobile home park, yards shall be provided as follows:

Front	40 feet
Side	30 feet
Rear	40 feet

(iv) Yards. Along the entire periphery of a mobile home park, yards meeting the district regulations shall be provided. Within the interior portions of a mobile home park, no yards, except as required to meet other provisions set forth in this section, are required.

(v) Spacing of mobile homes and site coverage.

(A) Mobile homes shall be so harbored on each space that there shall be at least a twenty-five feet (25') clearance between mobile homes; for mobile homes parked end-to-end, the end-to-end clearance may be less than twenty-five feet (25') but not less than fifteen feet (15').

(B) There shall be a minimum distance of ten feet (10') between the nearest edge of any mobile home and an abutting street within the park.

(C) Mobile home stands shall not occupy an area in excess of twenty-five percent (25%) of the respective lot area. The total area occupied by the mobile home and its accessory structures shall not exceed fifty percent (50%) of the respective lot area.

(iv) The mobile home lot.

(A) General. The limits of each mobile home lot shall be marked on the ground by suitable means. Location of lot limits on the ground shall be the same as shown on approved plans. No lot shall be smaller than five thousand (5,000) square feet.

(B) Mobile home stands. The mobile home stands shall be improved to provide adequate support for the placement and tie-down of the mobile home. The stand shall not heave, shift, or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage,

vibration, wind or other forces acting on the structure. In addition, such stand shall comply with the FHA minimum requirements. Permanent foundations shall meet the requirements of the HUD publication Permanent Foundations for Manufactured Housing, September 1996.

(C) Outdoor living area. Each mobile home lot shall be provided with an outdoor living and service area. Such area should be improved as necessary to assure reasonable privacy and comfort. The minimum area should be not less than three hundred (300) square feet with a least dimension of fifteen feet (15').

(c) Utilities and other services.

(i) Water supply and distribution system. An accessible, adequate, safe and potable supply of water shall be provided in each mobile home development on trunk lines not less than six inches (6"). Where a public supply of water of satisfactory quantity, quality and pressure is available at the site or at the boundary of the site, connection shall be made thereto and its supply used exclusively.

(ii) Sewage disposal. Each mobile home park shall be served by public sewer, with service provided each trailer site.

(iii) Solid waste disposal system. Solid waste collection stands shall be provided for waste containers for each mobile home. 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. Any central waste container shall be screened from view with access appropriately provided.

(iv) Service buildings. Service buildings housing sanitation and laundry facilities shall be permanent structures complying with all applicable ordinances and statutes, regulations, buildings, electrical installations, and plumbing and sanitation systems.

(v) Fire protection. Each mobile home park shall be equipped with fire hydrants spaced no more than five hundred feet (500') apart, no mobile home shall be farther than three hundred feet (300') from a fire hydrant. The water system shall be capable of providing a required fire flow of five hundred (500) gallons per minute for one (1) hour duration.

(vi) Insect and rodent control. Each mobile home park shall be maintained free of litter and accumulation of any kind of debris which may provide rodent harborage or breeding places for flies, mosquitoes, or other pests.

(d) Streets.

(i) General. All mobile home developments shall be provided with safe and convenient vehicular access from abutting public streets or roads to each mobile home lot. Such access shall be provided by streets, driveways or other means. All internal streets shall be private.

(ii) Entrance streets. Entrances to mobile home developments shall have direct connections to a public street and shall be designed to allow free movement of traffic on such adjacent public streets. No parking shall be permitted on the entrance street for a distance of one hundred feet (100') from its point of beginning.

(iii) Circulation. The street system should provide convenient circulation by means of minor streets and properly located collector streets. Dead-end streets shall be limited in length to five hundred feet (500') and their closed end shall be provided with an adequate turnaround. (sixty feet (60') diameter cul-de-sac)

(iv) Pavement widths. Pavement widths shall be as follows:

Collector street with no parking . . . . .	20 feet
With on-street parking . . . . .	36 feet
Minor street with no parking . . . . .	18 feet
With on-street parking . . . . .	34 feet
One-way minor street with no parking . . . .	12 feet
With on-street parking . . . . .	28 feet

(v) Construction:

Subgrade--the subgrade shall be well-drained, uniformly graded, and compacted.

Base--the base shall consist of crushed stone or gravel, six inches (6") in depth, compacted.

Surface--the surface shall be paved with asphaltic concrete plant mix, one and one-half inches (1 1/2") thick, compacted.

(e) Walks.

(i) General requirements. All mobile home developments shall be provided with safe, convenient, all season pedestrian walks of adequate width for intended use, durable and convenient

to maintain. Sudden changes in alignment and gradient shall be avoided.

(ii) Common walk system. A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of four feet (4').

(iii) Individual walks. All mobile home stands shall be connected to common walks, streets, driveways and parking spaces by individual walks. Such individual walks shall have a minimum width of two feet (2').

(f) Recreation area. Adequate recreation facilities for the residents of the project shall be provided in locations easily accessible to the living units and where they do not impair the view and privacy of living units. Attractive outdoor sitting areas shall be provided, appropriate in size, type and number to the needs of the residents.

Well-equipped playgrounds of adequate size and number shall be provided where it is anticipated that children will occupy the premises.

(g) Buffer and screening. A landscape buffer shall be provided along the perimeter of the site boundaries not less than fifteen feet (15') in width, except that a minimum buffer area from any public street shall be no less than twenty feet (20').

Within the landscaped buffer, a continuous fence six to eight feet (6' – 8') high or landscaped screen shall be provided. Such fence shall be opaque and such screening shall be a year-round evergreen ten feet (10') width and at least four feet (4') high at the time of planting and expected to achieve a height of six feet (6') within three (3) years. Such plants or trees shall be planted in two (2) rows and ten feet (10') apart with the plants or trees staggered. No landscaped screen or fence shall be provided within fifteen feet (15') of any vehicular entrance and/or exit to the park.

(h) Site design. The appearance and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features; and additional new plant material shall be added for privacy, shade, beauty of buildings and grounds and to screen out objectionable features. A landscape plan shall be submitted with the site development plan.

Existing trees, shrubs, evergreens and ground cover shall be retained to the extent that they enhance the project, are effective as a screen planting or are useful in protecting slopes.

(i) Parking. Parking shall be provided in accordance with § 14-208(2).

(i) Off-street parking. Off-street parking spaces shall be located on each mobile home lot.

(j) Responsibilities of park management.

(i) The permittee shall operate the mobile home park in compliance with this ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.

(ii) The permittee shall notify park occupants of all applicable provisions of this ordinance and inform them of their duties and responsibilities under this ordinance.

(iii) The permittee shall supervise the placement of each mobile home on its mobile home stand to the satisfaction of the codes director which includes securing its stability to anchor pins and installing all utility connections.

(iv) The permittee shall maintain a register containing the following information:

(A) The name and address of each mobile home occupant;

(B) The name and address of the owner of each mobile home and motor vehicle by which it was towed;

(C) The make, model, year, and license number of each mobile home and motor vehicle;

(D) The date of arrival and of departure of each mobile home.

(v) The mobile home park shall keep the register record available for inspection at all times by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained in the register.

(vi) The register record shall not be destroyed for a period of three (3) years following the date of departure of the registrant from the park.

(vii) The permittee shall notify the health authority immediately of any suspected communicable or contagious disease within the park.

(viii) The permit to operate shall be conspicuously posted in the mobile home park office at all times.

(ix) The permittee shall be answerable for the violation of any provision of this section.

(k) Responsibilities of park occupants.

(i) The park occupant shall comply with all applicable requirements of this ordinance and shall maintain his/her mobile home lot, its facilities and equipment in good repair and in a clean and sanitary condition.

(ii) The park occupant shall be responsible for proper placement of the mobile home on its mobile home stand and proper installation of all utility connections and anchoring in accordance with the instruction of the park management.

(iii) Skirtings, awnings, and other additions shall be installed only if permitted and approved by the park management. When installed, they shall be maintained in good repair. The space immediately underneath each mobile home shall be used for storage only if permitted by the park management. If permitted, the following conditions shall be satisfied:

(A) The storage area shall be provided with a base of impervious material.

(B) Stored items shall be located so as not to interfere with the underneath inspection of the mobile home.

(C) The storage area shall be enclosed by skirting.

(iv) The park occupant shall store and dispose of all rubbish and garbage in a clean, sanitary and safe manner. The garbage container shall be rodent proof, insect proof, and watertight.

(v) Fire extinguishers for Class B and C fires shall be kept at the premises and maintained in working condition.

(vi) All park occupants shall be required to register their pets (dogs and cats) with the park management.

(vii) All park occupants shall be required to have their pets (dogs and cats) on a leash and shall not be allowed to roam free and unleashed.

(viii) Park occupants shall not be allowed to construct or place pens for animals on the park premises.

(l) Inspections.

(i) The codes director is hereby authorized and directed to make annual inspections to determine the conditions of mobile home parks, in order to insure the health and safety of occupants of mobile home parks and of the general public.

(ii) The codes director shall have the power to enter upon any private and public property for the purpose of inspecting and investigating conditions relating to the annual inspection as it is related to the enforcement of this section.

(m) Non-complying regulations.

(i) Within one (1) year from the effective date of this ordinance any existing mobile home park located within the city shall comply with those sections of this title listed below. Any provision that is not feasible to comply with shall be so noted in a written statement to the codes director. Such statement shall specifically address itself to reasons with which this title cannot be complied and shall be accompanied by any supporting information and data which the codes director may request.

Non-complying provisions are as follows:

## Section 14-208(3):

Subsection (b)(vi)(B)

Subsection (c)(iii)

Subsection (j)

Subsection (k)

(n) Penalties. (i) Any person violating any provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each offense.

(ii) Each day that a violation is permitted to exist shall constitute a separate offense.

(iii) Any extension of an existing mobile home park is considered a non-complying use and is hereby prohibited unless said park is brought up to the standard herein stated.

(o) Revocation of permits. The board may revoke any permit to maintain and operate a park when the permittee has been found guilty by a court of competent jurisdiction of violating any provisions of this section. After such conviction, the permit may be reissued if the circumstances leading to conviction have been remedied and the park is being operated and maintained in full compliance with this section.

(p) Miscellaneous requirements. No inoperative automobiles, junk or non-contained trash shall be allowed within the park.

(q) Replacement of mobile homes. In any mobile home park, when a mobile home is relocated to a different pad within the park or is moved out of the park for any reason, it may be replaced only with another mobile home which has been certified under the national housing construction and safety standards act of 1974 (42 USC § 5401, et seq.) prior to any such replacement, the owner/operator of the mobile home park shall first obtain a building permit. After the replacement mobile home has been moved into the park and connected to all utilities but prior to any occupancy, such mobile home shall be inspected to determine its compliance with the above standard and the adopted NFPA 101 Life Safety Code.

(4) Site and architectural design standards. (a) Purpose and application. The standards and regulations of this section apply to all districts except as specifically exempted and are intended to compliment the guidelines of the Goodlettsville Design Review Manual. The purposes of the this section are as follows:

(i) To recognize the interdependence of land values and aesthetics and to provide a method by which the city may encourage builders to develop land so that its value and attractiveness will endure;

(ii) To encourage development of private property in harmony with the desired character of the community or area in

conformance with the adopted design standards and the Goodlettsville Design Review Manual.

(iii) To avoid and prevent community deterioration and to encourage the preservation and enhancement of property values and the visual character of the community and the natural environment;

(iv) To improve the general standards of orderly and stable development in the city through review of the design of individual buildings, structures and their setting;

(v) To establish standards and policies that will promote, preserve and enhance building design, proper site development and preserve natural environmental aspects in the city.

(b) Site plan required for zoning permits. All applications for zoning permits shall be accompanied by a site plan meeting the requirements herein and with sufficient copies to provide for staff and Goodlettsville Municipal/Regional Planning Commission distribution; provided however, that a site plan is not required when an existing building is converted from one permitted use to another permitted use and no additional construction is required and that no additional impervious surfaces are added to the site. With the exception of single- and two-family dwellings, and limited development site plans listed below, the site plan for all buildings or for new parking lots which require paving shall be approved by the Goodlettsville Municipal/Regional Planning Commission prior to the issuance of the zoning permit. The approval of any site plan shall lapse at the end of six (6) months if construction has not been initiated, and a new submission will be required meeting all zoning requirements including any amendments since the original approval. If the site plan approval is denied, within one (1) year of the date of denial, a subsequent application shall not be reviewed or heard unless there is substantial new evidence available, or if a significant mistake of law or of fact affected the prior denial. Such subsequent application shall include a detailed statement of the grounds justifying its consideration.

The following items are limited development site plans that may be reviewed and approved by planning/development services staff:

(i) Building additions not to exceed twenty-five percent (25%) of the existing size of the building up to two thousand five hundred (2,500) square feet but shall not include additional dwelling units for high density residential developments.

(ii) Parking lot expansion not to exceed twenty-five (25%) percent of the existing parking area up to seven thousand five hundred (7,500) square feet of parking area.

(iii) New accessory buildings or uses which do not change the use of the property and do not exceed two thousand five hundred (2,500) square feet.

(iv) Minor exterior building renovations.

Applicants may appeal the planning/development services department review and decision to the planning commission or to the board of zoning and sign appeals based on the provisions of this ordinance and the design guidelines.

All site plans shall be prepared and stamped by registrants of the State of Tennessee who are licensed to practice the particular discipline being prepared (e.g., site layout and drainage by civil engineers, boundary surveyors, landscape plans for landscape architects).

(i) Residential buildings or accessory structures or commercial buildings or additions of one thousand (1,000) square feet or less.

The site plan of any residential building or accessory structures containing one (1) or two (2) dwelling units and any commercial building or an addition to a commercial structure of one thousand (1,000) square feet or less shall indicate:

(A) The actual shape, location and dimensions of the lot;

(B) The shape, size and location of all buildings or other structures to be erected, altered or moved, and of any building or other structure already on the lot;

(C) The existing and intended use of the lot and of all such buildings or other structures upon it, including the number of dwelling units the building is intended to accommodate;

(D) Such other information concerning the lot or adjoining lots as may be essential for the determining whether the provisions of this ordinance are being observed.

(ii) All other buildings, structures and activities.

(A) The actual shape, location, bearings, and dimensions of the lot;

(B) The shape, size, and location of all buildings or other structures to be erected, altered or moved, and of any building or other structure already on the lot;

(C) The existing and intended use of the lot and of all such building or other structures upon it, including the number of dwelling units the building is intended to accommodate;

(D) Topographic features (contours not greater than five feet (5') intervals);

(E) Location of all driveways and entrances;

(F) Location of all accessory off-street parking areas to include a plot plan showing design and layout of such parking facilities,

(G) Location of all accessory off-street loading berths;

(H) Location of open space;

(I) proposed ground coverage, floor area, and building heights;

(J) Position of fences and walls (materials specified);

(K) Detailed landscaping plans which shall include trees, shrubs and flowering plants with species, quantities and sizes clearly indicated;

(L) Location of utilities (sanitary sewers, storm sewers, water mains and sizes, and fire hydrants);

(M) Type, and size of proposed signs;

(N) Proposed means of surface drainage;

(O) Location of all easements and rights-of-way;

(P) For any site subject to flooding, the limits of floodway and fringe areas, the regulatory flood elevation and regulatory flood protection elevation, and the minimum first floor elevation;

(Q) The stamp and name of the registered engineer, architect, landscape architect, or surveyor preparing the plan;

(R) Where subsoil sewage disposal is anticipated, certification from the county health department approving the lot for such use.

(c) All new non-residential developments including commercial, industrial, community facility activities in residential zoning districts, planned unit development districts, multiple family residential, and any entrance to a non-residential development are subject to design review and shall comply with the standards of the Goodlettsville Design Guidelines. In the event of damage or destruction to a building exceeding fifty percent (50%) of its total floor area or value, any repairs or reconstruction shall also be made in conformity with the Goodlettsville Design Guidelines Architecture section.

In all commercial, industrial or planned unit development districts no temporary building or structure of any kind may be used for any activity except for temporary uses specifically permitted by action of the board of zoning appeals or special sales or promotions authorized by the planning and codes department through the issuance of a temporary building permit for a specified period of time not to exceed two (2) weeks. This prohibition shall include tents, trailers, mobile buildings, storage

buildings or similar structures that are not permanent buildings constructed on a legally established lot.

(i) The following building materials are acceptable for exterior walls:

- (A) Brick;
- (B) Natural stone;
- (C) Exterior insulation and finish system (trade name Dryvit) or similar material, if used in combination with brick or stone;
- (D) Wood;
- (E) Glass but excluding opaque or reflective window tints and glazes;
- (F) Split face block;
- (G) Similar materials as approved by the Goodlettsville Municipal/Regional Planning Commission

All other materials shall be prohibited. These materials include vinyl or aluminum siding, fiberglass, tilt-up concrete panels and artificial stone. This section shall not be interpreted to prohibit the use of metal roofs.

(ii) The maximum uninterrupted length of any facade shall be one hundred feet (100'). Any such wall in excess of one hundred feet (100') shall be integrated with windows, awnings, projections, recesses, arcades or similar measures.

(iii) Each principal building shall have a clearly defined, highly visible customer entrance with distinguishing features such as canopies or porticos.

(iv) Facade colors shall be of low reflectance, subtle, neutral or earth tone colors. The use of high-intensity or metallic colors shall be prohibited except for accents. Colors shall not be used as a form of advertising even though such color may be a trademark.

(v) National "standard" or "trademark" designs shall be adapted to be compatible with these standards.

(vi) In the event of damage or destruction to a building exceeding fifty percent (50%) of its total floor area or value, any repairs or reconstruction shall be made in conformity with the standards contained herein.

In all commercial, industrial or planned unit development districts no temporary building or structure of any kind may be used for any activity except for temporary uses specifically permitted by action of the board of zoning appeals or special sales or promotions authorized by the planning and codes department through the issuance of a temporary building permit for a specified period of time not to exceed two (2) weeks. This prohibition shall

include tents, trailers, mobile buildings, storage buildings or similar structures that are not permanent buildings constructed on a legally established lot.

(d) Off-street parking lot design standards.

(i) Design objectives. Parking areas shall be designed with careful regard given to orderly arrangement, topography, amenity of view, ease of access, and as an integral part of the overall site design. All parking areas shall be landscaped in accord with the requirements contained in § 14-208(5).

For reasons of use and appearance, it is desirable that parking areas be level or on terraces formed with the slope of the land. Changes in level between such terraces should be formed by retaining walls or landscaped banks.

(ii) Submission of site plan. Any application for a zoning permit, or for a conditional use permit where no zoning permit is necessary, that requires three (3) or more accessory off-street parking spaces to be provided on a zone lot, shall include a site plan, drawn to scale and fully dimensioned, and be attached to said application showing the location, design and layout of such parking facilities and approved by the Goodlettsville Municipal/Regional Planning Commission. A site plan drawn to meet the requirements of § 14-208(4)(b) will comply.

(iii) Access control. In order to promote the safety of the motorist and pedestrian and to minimize traffic congestion and conflict by reducing the points of contact, the following regulations shall apply. These regulations are shown on the following illustrations.

(A) Maximum number of driveways:

(1) Residential use: Two (2) driveways are permitted for a residential use property for the first one hundred feet (100') of property street frontage except only one (1) driveway on a designated collector or arterial routes may be permitted to limit access points where necessary to protect traffic flow and safe access. Where permitted, additional driveways may be permitted for each additional one hundred feet (100') for property frontage on minor streets and two hundred feet (200') on designated collector and arterial designated arterial streets.

(2) Non-residential use: One (1) driveway is permitted for a non-residential use property for the first one hundred (100') of property street frontage. Where permitted, one (1) additional driveway may be permitted for the next additional one hundred feet

(100') of property street frontage where necessary for site deliveries and large truck access. Where permitted, additional driveways may be permitted for each additional one hundred feet (100') of property street frontage minor streets, two hundred feet (200') on collector streets, and three hundred feet (300') on arterial streets.

(3) Where feasible, all new driveways shall be placed to align with driveways on the opposite side of the street to enhance traffic flow and public safety.

(4) Additional entrances necessary for public safety site access may be permitted.

(B) Maximum width of driveway openings at the property line:

(1) Residential uses: Twenty-five feet (25').

(2) Gasoline service stations, freight and truck terminals, or other commercial and industrial uses customarily having a large volume of tractor trailer vehicle traffic: Forty feet (40').

(3) All other non-residential uses: Thirty-five feet (35').

(C) Minimum distances: Adjoining interior lot line and a driveway opening at the street right-of-way line:

(1) Residential uses: Five feet (5').

(2) Non residential uses: Ten feet (10')

(3) Shared driveways located on property lines are exempt from this requirement.

(D) Driveway from street intersection as measured from the nearest intersecting right-of-way line:

(1) Residential uses: Twenty-five (25') feet from limited minor streets, fifty feet (50') from minor streets, one hundred feet (100') from designated collector streets and two hundred feet (200') from designated arterial streets

(2) Non residential uses: Fifty feet (50') from minor streets, two hundred feet (200') from designated collector street and three hundred feet (300') from designated arterial streets and interchange ramps.

(3) These dimensions maybe be increased to prevent conflict with existing or planned traffic signals.

(4) On designated collector and arterial routes, the dimension shall be from planned right-of-way lines of nearest intersection.

(E) Multiple driveways: Where permitted, separation between two (2) driveways measures along the right-of-way line serving the same property which provide access to the same street shall be:

(1) Residential uses: Twenty-five feet (25') on limited minor streets, fifty feet (50') on minor streets, 100 feet on designated collector streets and arterial streets.

(2) Non-residential uses: One hundred feet (100') on minor streets, one hundred fifty feet (150') on designated collector streets, and two hundred feet (200') feet on designated arterial streets

(F) Radius of return: The radius of return curve connecting the edge of the traffic lane and access driveway shall meet the following requirements:

(1) Residential uses on roadway with posted speed limit less than thirty (30) mph: Five foot (5') minimum.

(2) Residential uses on roadways with posted speed limit thirty (30) mph or more: Fifteen foot (15') minimum.

(3) Non-residential use on roadways with posted speed limit less than thirty (30) mph: Fifteen foot (15') minimum.

(4) Non-residential use of roadways with posted speed is less than forty (40) mph: Twenty foot (25') minimum.

(5) Non-Residential use of roadways with posted speed limit is forty (40) mph or more: Driveway design sit all include engineering design and the planning commission based on recommendation from city planner and city engineer may require deceleration and acceleration lanes and left turn storage lanes or increased storage lane capacity, if applicable based on roadway traffic counts, roadway speed, and roadway and driveway access visibility but in no case shall the radius of return be less than thirty feet (30').

(G) Arterial and collector route access: To protect driveway access safety and traffic flow on collector and arterial routes, limited access design may be required by

planning commission based on recommendation from city planner and city engineer/or site development design proposals, including but not limited to, right turn only access, limiting comer lot access onto secondary streets with planned or existing signalized intersections, shared driveway access, cross access corridors with recorded access easements, and designing access to avoid conflicts in center left turns.

(H) Entrance angle: The centerline of every non-residential driveway shall intersect the centerline of the public way at an angle between seventy five and ninety degrees (75° and 90°).

(I) Traffic study: All non-residential developments containing commercial developments and warehouse and transport uses exceeding twenty thousand (20,000) square feet in area and residential developments exceeding seventy-five (75) lots or units, or other developments expected to generate one thousand (1,000) vehicle trips or more per day or one hundred (100) or more peak hour trips as determined by city planner and city engineer shall include an engineering traffic study with the development plan submittal to review safe design of driveway access points and capacity and any necessary requirements for on-site or off-site roadway improvements.

(J) Minimum off-street parking set back distance: Parking maneuvers within a parking lot shall not restrict entering vehicles from safely and efficiently entering the driveway from the public street. The minimum parking setback distance for non-residential driveways is thirty feet (30') from the right-of-way but may be increased based on traffic study requirements. All non-residential off-street parking areas must include on-site maneuvering areas to permit users to enter and exit the site in forward drive. Where permitted, residential driveways fronting designated collector or arterial routes must include on-site maneuvering areas to permit users to enter and exit the site in forward drive.

(K) Drainage: All driveways shall be constructed with property drainpipes sized for the amount of water each should carry. Such pipes may be of concrete or ADS N 12 or equivalent and headwalls and endwalls shall be constructed.

(L) Driveway slope, profile, and sight distance: The maximum slope of driveways shall be ten percent (10%). The

driveway location and approach area shall provide the user of the driveway access adequate sight distance in both directions along the street/or proper and safe movements. Minimum driveway sight distance measured at a point four and one-half feet (4 1/2') above the surface of the driveway surface to a point four inches (4") above the center line of the street surface shall be:

Limited volume minor streets	Residential 125 feet and non-residential 150 feet
Minor streets	Residential 200 feet and non-residential 250 feet
Collector streets	Residential 250 feet and non-residential 300 feet
Arterial streets	Residential 300 feet and non-residential 400 feet

(M) Driveway materials, pavement markings, and signing: All non-residential driveways shall be permanently paved with concrete or asphalt. All residential driveways shall be permanently paved with concrete or asphalt for the first ten feet (10') of the driveway for the width of the driveway. Driveways with more than one (1) ingress or egress lane or driveways including limited or restricted access shall have pavement surface marked with center lines, lane lines, stop lines, and symbol arrows and signage installed per engineering traffic control standards.

(N) Alternative approval: The dimensions listed in this section may be increased or amended by the planning commission during site plan review process. Planning director and city engineer shall make recommendation as deemed necessary for safe and efficient street operations.

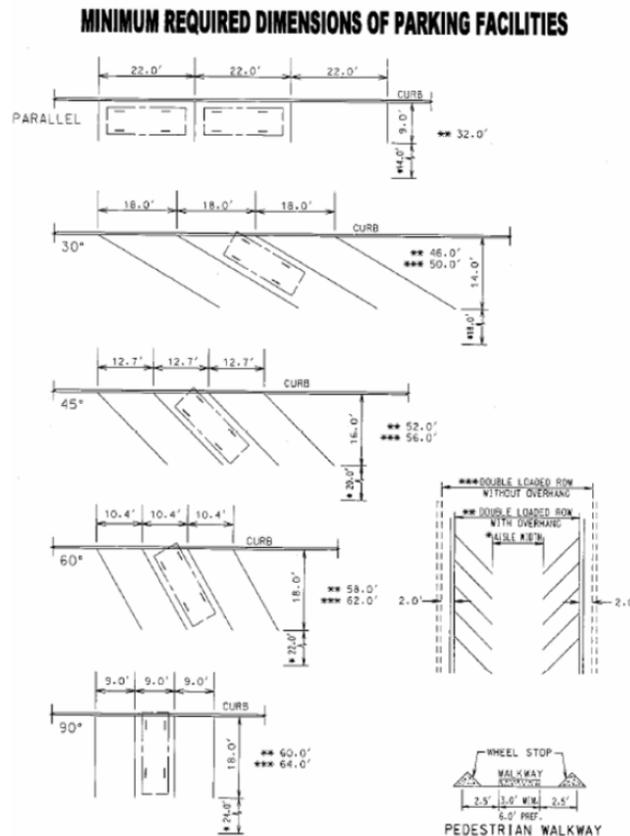
(iv) Surfacing and border barriers. All off street parking areas containing three (3) spaces or more shall be surfaced with asphalt, concrete, or other hard surfaced dustless material and so constructed to provide for adequate drainage for both on and off site and to prevent the release of dust. In no case shall drainage be allowed to cross sidewalks. An off-street parking area containing three (3) or more parking spaces shall be provided with a rail, curb, fence, wall, earth berm, or other continuous barrier of a height sufficient to retain all cars completely within the property together with appropriate landscaping except at access driveways.

(v) Lighting. Any lighting used to illuminate off street parking areas shall be directed away from property in any residential district in such a way as not to create a nuisance, and

such lighting shall not exceed one-half (1/2") foot candle at or above any residential district boundary or commercial district boundary where residences are located and permitted.

(vi) Parking stalls. The size of each parking space shall be as shown on the sample layout illustration according to the angle of parking and appropriately marked with painted lines or curbs.

(vii) Maneuvering space. Minimum width of driveways providing maneuvering space within a parking lot for ingress to and egress from parking stalls shall be as indicated on the illustration for parking lot design details.



(viii) Slope in parking areas. The maximum slope within the area of the parking stalls shall be five percent (5%). The maximum slope of driveways shall be ten percent (10%).

(e) Residential design requirements. The intent of this section is to encourage the development of residential neighborhoods that are compatible throughout the development and that compliment existing development and the natural environment. Each development or neighborhood should adopt an architectural theme for all buildings.

Architectural elevations are required as a part of the subdivision or PUD master plan.

(i) Building variation. Variation in front elevations on the same side of a street are required in order to achieve a varied street scene and to eliminate the reuse of identical or substantially similar buildings in close proximity to each other. Identical or similar buildings shall not be repeated more frequently than every sixth (6<sup>th</sup>) house on the same side of any street. Buildings shall be considered similar if they have similar building mass and form without distinguishing characteristics. Exterior surface materials such as brick, stone, stucco, Drivite, siding or a combination thereof may be used to create a distinctive differentiation between structures.

The front setback line shall also be varied. After observation of the minimum front setback established by the zoning district, the front setback of one (1) lot shall be varied by a minimum of two feet (2') from the front setback of any house within two (2) lots on either side of the subject lot.

(ii) Facades. Facades should be well articulated and proportioned. The dominance of garages at street level shall be avoided. Any attached garage that faces or opens toward the street shall have a setback between three (3') and ten feet (10') behind the front wall of the house. The garage door(s) shall be designed to blend with and compliment the house. Large expanses of blank walls shall be avoided by creating aesthetic and proportioned patterns of windows and shadows.

(iii) Roofs. Buildings should be designed using pitched roofs with flat roofs being discouraged. The minimum roof pitch shall be 5/12.

(iv) Soffit design. No roof overhang or soffit, as measured from the finished side of the siding of the building to the inside of the fascia board, shall be less than eight inches (8"), unless the building and the development embodies historical architectural styles such as Tudor or Federal, which have a roof pitch of 10/12 or greater.

(v) Design criteria for two-family detached dwellings.

(A) Purpose. The provisions set forth herein are intended to apply to all two-family detached dwellings as defined by this ordinance regardless of the district in which such use may be located. It is the express purpose of these provisions to establish design criteria and to provide for implementation of these provisions by the planning director in the review of the site plan required for all developments. In any instance where this type use is located within a

planned unit development, this requirement may be fulfilled by submission of the plans required for a planned unit development.

(B) Design criteria.

(1) All two-family detached units (duplexes) constructed on individual lots shall be designed to closely resemble the other housing units on the same street in appearance.

(2) Exterior building materials shall be of the same type and quality as the other dwelling units in the neighborhood or on adjoining lots.

(3) Each dwelling unit shall be provided with reasonable visual and acoustical privacy. Fences, walks and landscaping shall be provided for the protection and aesthetic enhancement of each unit of the building and privacy of the occupants, screening of objectionable views or uses and the reduction of noise.

(4) The appearance and character of the site shall be preserved, as appropriate, and enhanced by retaining and protecting existing trees and other site features. A landscaping plan shall be submitted as a part of the site plan.

(5) Driveways and parking areas shall be paved with either asphalt or concrete where a majority of the other housing units on the same street are so paved.

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

(D) Parking. These requirements shall supplement the parking provisions contained in § 14-208.

(1) Two off-street parking spaces shall be provided for each dwelling unit.

(2) All off-street parking areas shall be located in the rear or to the side of the principal building. The required front yard shall be kept open and unobstructed.

(3) Driveways and parking areas shall be paved with either asphalt or concrete in areas where a majority of the other housing units are so paved.

(5) Landscaping, screening and buffering. (a) Purpose and intent. The purpose and intent of this ordinance is to establish a set of landscape

requirements and guidelines that will be utilized as a minimum standard required of all developed or disturbed site within the City of Goodlettsville. The requirements and guidelines set forth in this section were developed in order to promote the health, safety and welfare of the general public; to improve the overall appearance of the community; to reduce stormwater run-off, noise, heat and chemical pollution through the preservation and installation of canopy trees; and to reduce the impact of incompatible land uses through requirements for buffer yards along zoning boundaries which will minimize potential harmful effects of one use on another

(b) Applicability. The provisions of this section shall apply to developments which require a site plan to be filed in accordance with § 14-213(6)(b) or which require a master development plan to be filed in accordance with § 14-210(3)(a). The provisions of this section, which pertain to screening and buffering, shall apply along all zoning district boundaries and along all boundaries separating a conditional use from permitted uses.

(c) Landscaping plan.

(i) Prior to the issuance of any permits (foundation, grading and/or building) for any site proposing any new or additional development, a landscape plan being part of the site development plan, meeting the requirements of this section, shall be submitted to and approved by the City of Goodlettsville Municipal/Regional Planning Commission. All landscape plans are to be prepared by and sealed by a registered landscape architect licensed in the State of Tennessee. A landscape plan shall also accompany any bulk grading and/or site clearing plan.

(ii) No landscape plans are to be drawn at a scale greater than one inch equals fifty feet (1" = 50'). All landscape plans shall include the following:

- (A) Boundary of proposed site;
- (B) Proposed site improvements;
- (C) Existing and proposed utility lines and easements;
- (D) North arrow;
- (E) Scale and scale bar;
- (F) Location of all existing trees eight inch (8") caliper and greater with any forested area containing such trees being separately delineated with the species mixture indicated;
- (G) Location of all proposed plant material;
- (H) A landscape schedule (providing the quantity, the botanical and common names, the height, the width and

the caliper inches of all proposed plant material at the time of planting);

(I) A data table showing the landscape requirements for the site and the landscape provided to meet these requirements;

(J) Details and notes explaining the installation and maintenance of proposed and/or protected plant material;

(K) The name, address and phone number of the landscape architect approving said plans;

(L) Proposed means of slope stabilization, if applicable.

(d) Bonding.

(i) All proposed landscaping shall be secured by a landscape performance bond to guarantee the quality and longevity of the plant material installed. Bond amounts will be determined by the Goodlettsville Municipal/Regional Planning Commission and will vary depending on the quantity of landscape material proposed. The bond will be released upon installation of the required landscaping and inspection and approval by the city. If the required landscaping has not been installed within one (1) year of the approval of the plan, said bond shall be reviewed to determine if the amount is still adequate and if not, may be increased.

(ii) Prior to the release of the performance bond, a landscape maintenance bond shall be posted in order to assure the longevity and livelihood of the plant material. Said bond will be held for a period of one (1) year. At the completion of the year, these bonds will be reviewed to determine whether or not they are to be released, reduced, or held for an additional year. The amount of the bond shall be determined by the Goodlettsville Municipal/Regional Planning Commission and will vary depending on the quantity of landscape material installed.

(iii) In order to obtain a bond release, a bond release form must be signed by the owner and by the registered landscape architect that prepared the plan and inspected and approved the quality, size, type, quantity, and livelihood of the installed landscape. Once this form has been submitted to the planning department, the city will inspect the installed landscape of question to determine whether to award a full release, a reduction, or another year held of said bond.

(e) Standards.

(i) All proposed plant material for a given site are to be appropriately specified in order to tolerate the climate conditions of the Middle Tennessee area.

(ii) All proposed plant material for a given site are to meet the requirements of the American Standard for Nursery Stock established by the American National Standards Institute, Inc., issued in 1997.

(f) General landscape requirements. The following requirements shall apply to all developments except single family detached housing developments that are not a part of any planned unit development. All required landscaping shall be automatically irrigated, and such irrigation system shall be fully operational prior to the issuance of the final certificate of occupancy.

(g) Required trees. (i) Each newly developed site shall be required to have a minimum acquired caliper inch (ACI or caliper inch) of seventy (70) caliper inches of proposed trees per acre.

(ii) Seventy-five percent (75%) of required trees shall be native to the southeastern United States.

(iii) Fifty percent (50%) of required trees shall be a minimum three (3) caliper inches in size.

(iv) No proposed canopy tree planted at a size less than two (2) caliper inches will be accepted as a required tree. No proposed understory/ornamental tree shall be less than two (2) caliper inches in size.

(v) A minimum of twenty percent (20%) and maximum of fifty percent (50%) of required trees shall be understory and/or ornamental trees.

(vi) Existing trees to be protected and retained (see figure F-1) shall count fifty percent (50%) of their size towards the seventy (70) inch/acre requirements but not count towards parking area requirements. In the event that the existing tree credit creates a condition where no new tree plantings are required under the formula, a minimum of thirty-five (35) caliper inches/acre of proposed trees shall be provided.

(h) Parking areas. (i) Islands.

(A) One (1) landscape island with a minimum size of nine feet by eighteen feet (9' x 18') (see Figure F-2) shall be placed at a minimum of every fifteen (15) spaces in any proposed row of parking.

(B) A minimum of one (1) three inch (3") caliper or larger canopy tree is to be placed in each proposed island. Said canopy trees can be used toward the overall tree requirements but not toward any existing tree replacement.

(C) Said islands are to be free of all asphaltic, constructions and/or trash materials (see Figure F-3). The following note is to be placed on all site plans. "All parking islands are to be inspected and approved by the City of Goodlettsville Planning Department prior to the installation of any plant material or soil."

(ii) Adjacent parcels

(A) A minimum open space area of one-half (1/2) of the required side yard shall be placed between any proposed paved area and the adjacent parcel(s) to the site under development. If the required open space contains any drainage, utility or access easement, an additional five feet (5') of open space shall be provided.

(B) The open space area shall be landscaped at the designer's discretion in order to accommodate the general landscape requirements but shall be maintained as permanent open space.

(C) The open space area may be crossed by driveways or sidewalks where an access agreement between the adjacent property owners is in place.

(iii) Street fronts.

(A) A minimum open space area of ten feet (10') shall be placed between any proposed paved area and the right-of-way of the public street providing frontage to the site. If the required open space contains any drainage, utility or access easement, an additional five feet (5') of open space shall be provided. Said open space area shall be landscaped in accordance with (B) below in addition to any required trees.

(B) One (1) shrub at a size no less than twenty-four inches (24") high and twenty-four inches (24") wide is required for every two (2) linear feet of parking/driveway area that parallels any street front. Spacing of shrubs to be in keeping with species and design configuration. Said shrubs are to be installed between the street front and the proposed parking areas in a manner that will help screen and/or soften the visual effects of the proposed parking areas from its street front. Any area between the right-of-way and a curb or street pavement shall be included in the landscape plan and provided with appropriate cover. Street trees shall also be included in the street front landscaping. Canopy trees with a minimum caliper inch size of three inches (3") shall be planted on forty foot (40') centers. When overhead power lines are encountered,

understory ornamental trees with a minimum caliper inch size of two inches (2") shall be planted on thirty foot (30') centers.

(C) The landscape plan shall include foundation planting at the front of the building and along any side which parallels a public street. Such foundation planting shall include shrubs, flowering plants and ornamental trees.

(i) Turf/ground cover. (i) All areas that have been disturbed by a particular site's development and are not within a planted area shall be seeded and strawed or sodded in order to achieve a well established lawn.

(ii) All disturbed areas that exceed a 3:1 slope shall receive a jute erosion control mesh (or equivalent) and be planted with the appropriate turf or ground cover that will provide a fast growth habit and rapid establishment.

(iii) All disturbed natural areas that exceed a 3:1 slope and are located along a street front are to receive sod.

(iv) All storm drainage ditch bottoms are to receive sod unless a concrete flume has been proposed.

(j) Landscape requirements for single family developments. Single family subdivision developments (subdivisions with one-family dwelling on a fee simple lot) and low density planned unit developments shall meet the following requirements:

(i) Each lot shall include three (3) canopy trees with a minimum size of two (2) caliper inches. One such tree shall be planted as a street tree to be located within five feet (5') of the street right-of-way. Any utility easement shall be taken into account when locating such tree

(ii) Foundation planting shall be provided for each house on each lot in a development. Such planting shall include complimentary shrubbery and flowering plants.

(iii) Every final subdivision plat shall include a drawing of a typical lot compliance with these landscape requirements.

(k) Replacement of existing trees. The requirements of this section shall be in addition to the general landscape requirements as presented in section (f) and, therefore, can not be applied towards meeting the "general landscape requirements."

(i) A tree removal permit must be obtained prior to the removal of any existing trees which are eight (8) caliper inches or larger from a site proposed for development or for general clearing purposes. In order to obtain such permit, the applicant must demonstrate the intent of the tree removal for the site in questions and pay a fee of twenty-five dollars (\$25.00) to the city. Final granting of the permit will be determined by the Goodlettsville

Planning Department. Any variance from this procedure shall first be considered by the Goodlettsville Municipal/Regional Planning Commission.

(ii) All existing trees that are to be removed from a site to be developed (this also includes sites that are to be cleared of their existing trees in order to increase their market value as a future development) shall be replaced at a rate of fifty percent (50%) of their size. When the replacement of existing trees results in an acquired caliper inch calculation in excess of one hundred fifty percent (150%) of the requirement for the site, the requirement shall be capped at one hundred fifty percent (150%) of the required seventy (70) caliper inches per acre.

For example: If a twenty-four (24) caliper inch existing tree is removed then twelve (12) caliper inches of new trees must be proposed to replace this tree. (Note: This only applies to the removal of trees at a size of eight (8) caliper inches and up.)

(iii) Any canopy tree eighteen (18) caliper inches or over in size shall be identified as a specimen tree. Extraordinary efforts to protect such trees shall be taken, and any removal of a specimen tree shall be specifically approved as a part of the landscape plan. The replacement of such trees shall be on a one inch (1") to one inch (1") basis.

(l) Screening. (i) Heating and cooling units on all non single-family residential developments shall be screened from all street fronts and adjacent parcels. Said screen shall be either a permanent opaque fencing and/or a thick massing of evergreen plant materials installed a height and spread no less than twenty-four inch (24") spaced so that an immediate screen is created at the time of planting.

(ii) Dumpster and service/loading areas are to be screened from all fronts and adjacent parcels. Said screen is to be either a permanent opaque fencing or a thick massing of evergreen plant materials installed at a minimum height of three feet (3') and minimum spread of four feet (4').

(iii) If a retention/detention pond area is to be enclosed with chain-link fencing, the fencing shall be black or dark green vinyl coated fencing. The pond area shall also be screened with a thick massing of evergreen plant material at a minimum height of three feet (3') and a minimum spread of three feet (3') from all fronts and adjacent parcels.

(m) Sight distance requirements for landscape materials. At any public or private street intersection and at the access point for private driveways to public or private streets, a clear zone for sight distance shall be maintained. No landscape material that exceeds the height of

eighteen inches (18") at maturity or branches lower than six feet (6') shall be planted in any sight distance clear zone as indicated in Figure F-4.

(n) Coordination with transitional screening requirements.

(i) The requirements for transitional screening and barriers contained in subsection (p) hereafter shall be in addition to the requirements for landscaping in sections (f) and (k) above. All site and master PUD plans shall observe all such requirements.

(ii) No application for a zoning change shall be recommended by the Goodlettsville Regional/Municipal Planning Commission unless such application demonstrates that the provisions of subsection (p) can be met.

(iii) The Goodlettsville Regional/Municipal Planning Commission and the board of appeals shall not approve any conditional use permit unless such request demonstrates that the provisions of subsection (p) can be met.

(o) Waiver. (i) In extreme cases certain sites and/or proposed land uses may be in a position of legitimate hardship in meeting the requirements of this ordinance. Should this occur, the owner/developer may appeal to the Goodlettsville Municipal/Regional Planning Commission to request a reduction in the landscape requirements based upon the physical conditions of the site. Self imposed or financial hardships only shall not constitute a basis for approval of the request.

(ii) If an appeal is granted to a particular site and the total caliper inches of required trees to be planted on site is reduced, then the remaining caliper inches are to be paid for to the City of Goodlettsville's public lands landscape maintenance and tree bank fund at a rate of one hundred fifty dollars (\$150.00)/caliper inch, or may provide the required number of caliper inches in trees to be planted on public lands as designated by the city manager or his designee. If a developer chooses to plant off-site, the species and location must be approved by the Goodlettsville Regional/Municipal Planning Commission and covered by the certificate of compliance, bonding procedure and insured as are other plants on-site.

For example: A two (2) acre site is required a total of one hundred forty (140) caliper inches of newly planted trees. The Goodlettsville Regional/Municipal Planning Commission grants a seventy-five percent (75%) reduction requiring only thirty-five (35) caliper inches of newly planted trees to be planted on site. The remaining one hundred five (105) required caliper inches must therefore be paid to the landscape maintenance and tree bank at a cost of one hundred fifty dollars (\$150.00)/caliper inch or fifteen thousand seven hundred fifty dollars (\$15,750.00).

(p) Transitional screening. (i) General requirements. The following general provisions shall apply to transitional screening:

(A) Transitional screening shall be provided in accordance with the transitional screening matrix and type of buffer yard presented at the end of this section.

(B) Transitional screening shall be provided within the zoning district and on the lot of the "burdened use or district" (see matrix), along all points where such use or district is contiguous or across the street from land used by or zoned for the "benefitted use or district."

(C) In any instance where a structure is to involve more than one (1) use as presented in the matrix, the more stringent requirements shall apply.

(D) All plant materials utilized in the transitional screening buffer yards shall meet the size requirements of § 14-208(5)(f). A minimum of fifty percent (50%) of the materials shall be evergreen.

(ii) Transitional screening requirements. Transitional screening in the form of a buffer yard shall be located along the outer perimeter of a lot or parcel, and shall extend to the lot or parcel boundary line. The required minimum yard may be utilized to provide transitional screening. There shall be four (4) different buffer yard types as identified in the matrix, which shall be provided as follows:

(A) Type 1 buffer yard. Shall consist of an unbroken strip of open space that complies with one (1) of the following alternatives:

(1) A strip a minimum of twenty-five feet (25') wide planted with six (6) canopy or large evergreen trees, four (4) understory trees and twenty (20) shrubs for each one hundred (100) linear feet of open space.

(2) A strip a minimum of fifteen feet (15') wide incorporating a six foot (6') brick, natural stone or an approved decorative masonry wall and planted with three (3) canopy or evergreen trees and two (2) understory trees for each one hundred (100) linear feet of open space. The plant materials shall be located between the wall and the property line.

(B) Type 2 buffer yard. Shall consist of an unbroken strip of open space that complies with one (1) of the following alternatives:

(1) A strip a minimum of thirty-five feet (35') wide and planted with eight (8) canopy or large

evergreen trees, six (6) understory trees and twenty-eight (28) shrubs for each one hundred (100) linear feet of open space

(2) A strip a minimum of twenty-five feet (25') wide incorporating a six feet (6') brick, natural stone or an approved decorative masonry wall and planted with four (4) canopy or evergreen trees and three (3) under story trees for ACH one hundred (100) linear feet of open space. The plant materials shall be located between the wall and the property line

(C) Type 3 buffer yard. Shall consist of an unbroken strip of open space that complies with one (1) of the following alternatives:

(1) A strip a minimum of fifty feet (50') wide and planted with twelve (12) canopy or large evergreen trees, eight (8) understory trees and forty (40) shrubs for each one hundred (100) linear feet of open space.

(2) A strip a minimum of forty feet (40') wide incorporating a six foot (6') brick, natural stone or an approved decorative masonry wall and planted with six (6) canopy or evergreen trees and four (4) understory trees for each one hundred (100) linear feet of open space. The plant materials shall be located between the wall and the property line.

(D) Type 4 buffer yard shall consist of an unbroken strip of open space a minimum of ten feet (10') wide including a six foot (6') brick wall and planted with three (3) canopy or large evergreen trees, one (1) understory tree and ten (10) shrubs for each one hundred (100) linear feet of the open space. This type buffer yard is only available within the CCO district and shall be applied along the side and rear property lines of the zoning district that adjoins residential property.

(iii) Requirements within landscape buffer yards. Sidewalks or trails may occur within a buffer yard provided the effect of the yard is not compromised. In no event shall the following uses be allowed in the buffer yards: playgrounds or playfields, stables, swimming pools, tennis courts or other recreational facilities; parking areas or other vehicular use areas; dumpsters, equipment storage and other open storage; buildings or overhangs; stormwater retention/detention facilities; and utilities or utility easements.

Buffer yards shall be continuous and unbroken except for driveways or sidewalks required to access parking areas or streets. Driveway/sidewalk penetrations shall cross buffer yards as close to perpendicular as possible and shall not exceed twenty-five percent (25%) of the entire buffer yard area, with no single penetration to exceed thirty-five feet (35') in width.

(iv) Variations. The buffer yards are normally calculated as being parallel to the property line. However, design variations, especially when used to incorporate existing native vegetation into the buffer yard area, shall be considered. The edges of the buffer yard may meander, including the permitted walls, provided that:

(A) The total area of the buffer yard is equal to or greater than the total area of the required buffer yard; and

(B) The buffer yard measures no less than the minimum width required by the applicable buffer yard standard at all points along the perimeter of the property line.

Buffer yard requirements may be waived by the Goodlettsville Regional/Municipal Planning Commission with a demonstration of unusual site grade conditions that would clearly negate the effects of the required buffer yard. The applicant shall supply section or profiles (drawn to scale) through the property line along the buffer yard proposed for the waiver. These drawings shall show the existing and proposed grades on both sides of the property line, as well as the principal structures on both properties. The sections or profiles shall show the line of sight for a pedestrian or a motorist, as applicable, from principal entrances, sidewalks or streets and from the highest point of the site to be buffered. Such sections or profiles shall clearly demonstrate that effect of the change in grade would negate the effect of a mature landscaped buffer yard thirty feet (30') in height.

(v) Exemptions. No buffer yard shall be required in the following situations:

(A) When a zoning district boundary falls along a public street containing four (4) or more travel lanes; or along an elevated railroad bed, utility line easement fifty (50) or more feet wide, or along a creek or waterway that is fifty (50) or more feet wide.

### Transitional Screening Matrix

When	Is Proposed to Abut	Transitional Screening Shall Be Provided:
Any LD PUD	Any residential district	None
Any HD PUD	Any residential district	Buffer yard 1
Any retail, office, service, restaurant activity or commercial & office PUD	Any residential district & Any residential PUD district	Buffer yard 1
Any education, religious, personal or group care, community assembly, essential service, vehicular sales & service or health care activity	Any residential or residential PUD district or residential use	Buffer yard 1
Any building material, construction, wholesale sales or automotive repair activity; or any activity in a CS, CG, IG or IR district.	Any residential or residential PUD district, or education, religious, personal or group care activity	Buffer yard 2
Any building material, construction, wholesale sales or automotive repair activity; or any activity in a CS, CG, IG or IR district	Any retail, office, service, restaurant activity or commercial & office PUD	Buffer yard 1
Any group assembly, manufacturing, transport & warehousing or scrap operations	Any residential or residential PUD district, education, religious, personal or group care, retail, office, restaurant, activity or commercial or office PUD district	Buffer yard 3
The CCO district	Any residential district or use	Buffer yard 4

(q) Modifications and waivers. Transitional screening and barriers may be waived or modified by the Goodlettsville Regional/Municipal Planning Commission in any of the following circumstances. The Goodlettsville Regional/Municipal Planning Commission may attach conditions to any waiver or modification which

would assure that the results of the waiver or modification would be in accordance with the purpose and intent of this chapter.

(i) Transitional screening and barriers may not be required between uses that are to be developed under a common development plan or series of development plans within a PUD district or a common site plan.

(ii) Where the strict provisions of this section would reduce the usable area of a lot due to lot configuration or size to a point which would preclude a reasonable use of the lot, transitional screening and/or barriers may be waived or modified by the Goodlettsville Regional/Municipal Planning Commission where the side of a building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques.

(iii) Transitional screening may be modified where the building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques.

(iv) The transitional screening and width and planting requirements may be reduced as much as two-thirds (2/3) where the developer chooses to construct a seven foot (7') brick or architectural block wall instead of the lesser barrier indicated by the matrix. This wall may be reduced to a height of six feet (6') where the Goodlettsville Regional/Municipal Planning Commission deems such a height will satisfy the purposes and intent of this chapter.

(v) Transitional screening and barriers may be waived or modified where the adjacent property is zoned to allow a use similar to that of the parcel under site plan.

(vi) Transitional screening and barriers may be waived or modified where the adjoining property is used for any public purpose other than a school or hospital.

(vii) Transitional screening and barriers may be waived or modified where adjacent property is zoned for residential usage and is used for any use permitted as a conditional use by the zoning board of appeals except day care centers, educational facilities and special personal and group care facilities.

(viii) Transitional screening may be modified or waived where the subject property abuts a railroad or limited access highway right-of-way.

(ix) The Goodlettsville Regional/Municipal Planning Commission may waive or modify the barrier requirements where

the topography of the lot providing the transitional screening and the lot being protected is such that a barrier would not be effective.

(x) Transitional screening and barriers may be waived or modified for any public use when such use has been specifically designed to minimize adverse impact on adjacent properties.

(xi) In certain unusual circumstances of topography, or to alleviate certain specific problems, i.e., the blocking of glare, muting of noise, etc., the Goodlettsville Regional/Municipal Planning Commission may require the use of an earth berm or more specialized fence material in lieu of, or in combination with, any of the barrier types set forth in § 14-208(5)(p).

(r) Landscaping maintenance. The owner, or his agent, shall be responsible for the maintenance, repair and replacement of all landscaping materials and barriers as may be required by the provisions of this section. All plant material shall be tended and maintained in a healthy growing condition, replaced when necessary and kept free of refuse and debris. Fences and walls shall be maintained in good repair. The practice of "topping" trees shall not be permitted as a normal practice of maintenance of trees. Topping is defined as the excessive and arbitrary removal of limbs with no regard to the structure of the tree. Excessive removal of limbs is removal of more than twenty to twenty-five percent (20% – 25%) of the limbs as stated in the ANSI standards for pruning. Trees severely damaged by storms or other causes may be exempted from this requirement at the determination of the planning director.

(s) Bond requirements. No landscape plan required by this ordinance shall be approved until the applicant has posted a bond or other surety acceptable to the city conditioned upon satisfactory installation of the landscaping and barriers proposed in his landscaping plan, in a sum sufficient to cover the cost of said landscaping and barriers.

(t) Monetary compensation for trees. A developer may choose to provide the City of Goodlettsville with monetary compensation for trees. If this alternative for the development is chosen, then the following criteria shall be observed:

(i) Provide tree density calculations on the tree preservation and/or tree replacement plan. Show the total amount of tree density units that cannot be met on-site.

(ii) Multiply the tree density units that cannot be met on-site by the monetary compensation value. The product of those two numbers shall be provided on the tree preservation and/or tree replacement plan. Contact the director of planning and community development for the current monetary compensation value.

(iii) The monies collected for the tree bank may be used by the department of planning and community development, public services, and/or support services for the planting of trees at parks, greenways, fire stations, and libraries. Alternate planting locations may be approved by the director of planning and community development with the concurrence of the city manager.

(u) Standards for administering this alternative compliance method. The director must review and approve all requests for alternative compliance. In no instance shall the alternative compliance options be used to comply with any other ordinance requirement than the tree density or specimen tree requirement. The site development permit shall be issued after the director has approved the request for either compliance option and received the necessary documentation and funds.

(v) Exclusions. Trees used to meet requirements for parking lots, landscape strips, street frontage buffers, or buffer replanting must be planted on site and are excluded from the tree bank procedures. Trees that are required to meet minimum tree density units and/or recompense requirements can be; contributed toward the tree bank in accordance with this alternative measure.

(6) Lighting requirements. All utility services connections shall be underground and shall commence at the property line unless otherwise approved by the Goodlettsville Municipal/Regional Planning Commission. All lighting plans must meet Nashville Electric Services Street Lighting Design Manual Standards and any subsequent amendments to such manual and be approved by the Goodlettsville Municipal/Regional Planning Commission.

(7) Wireless telecommunications towers and antennas. Ordinance No. 98-571 is available under separate cover.

(8) Wind turbine facilities. (a) Purpose. The purpose of this subsection is to establish general guidelines for the siting of wind turbine facilities in Goodlettsville. The goals of this subsection are to:

(i) Protect residential areas and land uses from potential adverse impacts of wind turbine facilities;

(ii) Encourage users of wind turbine facilities to configure them in a way that minimizes the adverse visual impact of the wind turbine facilities through careful design, siting and landscape screening;

(iii) Consider the public health and safety of wind turbine facilities; and

(iv) Avoid potential damage to adjacent properties from wind turbine facility failure through engineering and careful siting of wind turbine structures.

(b) Definitions. The following definitions related to wind energy facilities shall apply:

(i) Blade glint: the intermittent reflection of the sun off the surface of the blades of a single or multiple wind turbine(s).

(ii) Distance: a measurement made in a straight line, without regard to intervening structures or objects, from the wind turbine's center toward the specified distance required by this title.

(iii) Height: the vertical distance from pre-development grade to the tip of the wind turbine blade at its highest point, or blade-tip height, whichever is higher.

(iv) Nacelle body: the structure at the top of the wind turbine that is separate from the blades and comprises the rotor shaft, gearbox, and generator.

(v) Occupied building: a residence, church, hospital, school, day-care, community education facility, or library.

(vi) Shadow flicker: the effect when the blades of an operating wind turbine pass between the sun and an observer, casting a readily observable, moving shadow on the observer and his/her immediate environment.

(vii) Wind energy facility: a wind turbine and all associated equipment, machinery and structures utilized to convert wind to electricity. This includes, but is not limited to, towers, transmission, storage, collection and supply equipment, substations, transformers, and service and access roads.

(viii) Wind energy facility (small): a wind energy facility consisting of one (1) tower, one (1) turbine, and having rated capacity of not more than one hundred (100) kW.

(ix) Wind energy facility (utility): a wind energy facility consisting of two (2) or more towers with turbines, or having a rated capacity of one hundred (100) kW or more, and where the primary use of the facility is electrical generation to be sold to the wholesale electricity markets.

(x) Wind turbine: a device that converts kinetic wind energy into rotational energy to drive an electrical generator. A wind turbine typically consists of a tower, nacelle body, and a rotor with two (2) or more blades.

(c) "Wind energy facility (small)" shall be a conditional use permitted in all zoning districts and "wind energy facility (utility)" shall be a conditional use permitted only within commercial and industrial districts.

(d) Wind energy facility. (i) Applicability. The wind energy facility shall comply with the standards of this subsection and the Goodlettsville Zoning Ordinance. The conditional use permit request shall be accompanied by a written document that identifies and describes the facility's compliance with the standards. Where compliance is not possible, the document will detail why the

standards cannot be met, and what alternative standards are proposed by the applicant.

(ii) Height. The height of any facility, whether building or tower-mounted, shall not exceed fifteen feet (15') above the maximum building height allowed for the principal use in the subject zoning district.

(iii) Setbacks. The facility shall not be sited within:

(A) A distance equal to the height of the facility from any occupied buildings, or private ways that are not part of the wind energy facility; or

(B) One point five times (1.5x) the facility's height from the nearest property line, whichever is greater.

(iv) Location. Wind energy facilities shall be permitted only in the rear yard of any lot.

(v) Guy wires. No guy wire anchors shall extend closer than five feet (5') to the property line. All outer and innermost guy wires must be marked and clearly visible to a height of six feet (6') above the guy wire anchors.

(vi) Signs and advertising. An information sign identifying the facility owner, facility manufacturer, and a twenty-four (24) hour emergency contact phone number, along with warning sign(s) shall be required on the facility. In addition, an educational sign may be provided about the facility and the benefits of renewable energy. All such signs shall comply with the base zoning district's sign regulations for a non-residential use. No other advertising signs shall be allowed on or around the facility.

(vii) Lighting. No lighting of the facility shall be permitted, except warning lights as required by state or federal law.

(viii) Appearance. All components of the facility shall be in a neutral, non-reflective exterior color designed to blend with the surrounding environment.

(ix) Noise. The facility shall not generate noise in excess of sixty (60) decibels (dBA) measured at the closest neighboring occupied building, except during short-term events such as utility outages and severe windstorms.

(x) Shadow, blade glint, and flicker. The facility shall be sited to minimize shadow, blade glint, and flicker impacts on any property within a minimum distance of six hundred feet (600') of the site property line.

(xi) Utility notification plan. No wind energy facility shall be installed until the Nashville Electrical Service approves the applicant's site plan.

(xii) Emergency plan. The facility shall have an automatic braking, governing, or feathering system to prevent uncontrolled

rotation, over speeding and excessive pressure on the tower structure, rotor blades and turbine components.

(xiii) Abandonment. The applicant or property owner shall provide proof of the establishment of a financially secure and legally enforceable method of removing a wind energy facility when it ceases to be used for a period of twelve (12) consecutive months. This financial assurance can be provided through a sinking fund, a lien upon land which has a greater unencumbered appraised value than the cost of removal of the wind energy facility, a removal bond, a letter of credit or any alternative financial arrangement which is approved by the City of Goodlettsville. If the applicant or landowner owns more than one (1) wind energy facility, a blanket removal bond or alternative financial assurance may cover multiple sites.

(xiv) Site plan. No wind energy facility shall be erected, constructed, installed or modified as provided in this section without first undergoing site plan review and obtaining a building permit. All plans and maps shall be prepared, stamped and signed by a professional engineer licensed to practice in Tennessee as a mechanical, structural, or civil engineer. The required site plan shall show, identify, display, dimension, and/or demonstrate the following:

(A) All property lines and existing buildings/structures on site and within six hundred feet (600') of the site. For buildings/structures, the purpose of each will be labeled on the plan as well as the distance of each from the facility.

(B) Location of the proposed tower, foundations, guy anchors, access roads, and associated equipment on the site parcel and within six hundred feet (600') of its boundary.

(C) Any existing overhead utility lines;

(D) Existing areas of tree cover, including average height of trees, on the site parcel and any adjacent parcels within a distance, measured from the wind turbine foundation, of one point five times (1.5x) the height of the wind turbine;

(E) Location of each existing wind energy facility, regardless of size or operational condition that are within two thousand feet (2,000') of the proposed facility;

(F) Proposed changes to the landscape of the site, grading, screening, vegetation clearing and planting, and any required FAA lights;

(G) Tower foundation blueprints or drawings signed by a professional engineer licensed to practice in the State of Tennessee as a mechanical, structural, or civil engineer demonstrating the facility is designed to meet the most stringent wind requirements;

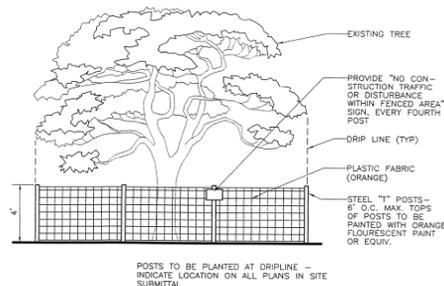
(H) A statement by an engineer licensed in the State of Tennessee certifying that the proposed wind turbine will meet the noise standard established by this section. The engineer shall be certified by the Institute of the Noise Control Engineering of the USA (INCE/USA).

(I) One or three line electrical diagram detailing wind turbine, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;

(J) Documentation of the wind energy facility's manufacturer and model, rotor diameter, tower height, tower type (freestanding or guyed), and foundation type/dimensions;

(K) Photo visualizations of the facility pre- and post-construction shall be provided by the applicant in color showing how the facility will look, once installed. The visualizations will be from a minimum of three sight lines, including the nearest occupied building with a view of the wind facility, excluding buildings owned by the applicant or property owner.

(L) An operation and maintenance plan shall be submitted for the facility. (Ord. #06-674, June 2006, as amended by Ord. #11-765, Dec. 2011, Ord. #13-800, Aug. 2013, Ord. #15-844, Sept 2015, Ord. #15-849, Oct. 2015, Ord. #16-857, Feb 2016, Ord. #16-867, July 2016, Ord. #16-868, July 2016, Ord. #16-871, Aug. 2016, Ord. #17-884, Jan 2017, Ord. #17-886, Jan 2017, Ord. #17-893, April 2017, Ord. #19-962, Jan. 2020 *Ch4\_1-23-20*)



TREE PROTECTION DETAIL

FIGURE F-1

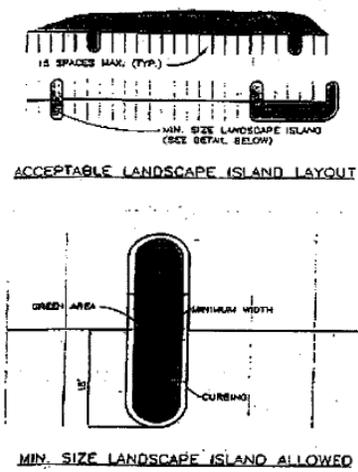


FIGURE F-2

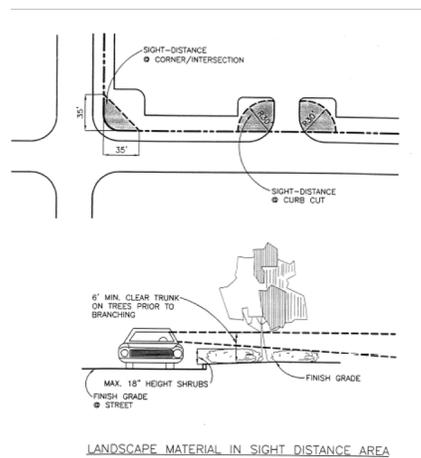
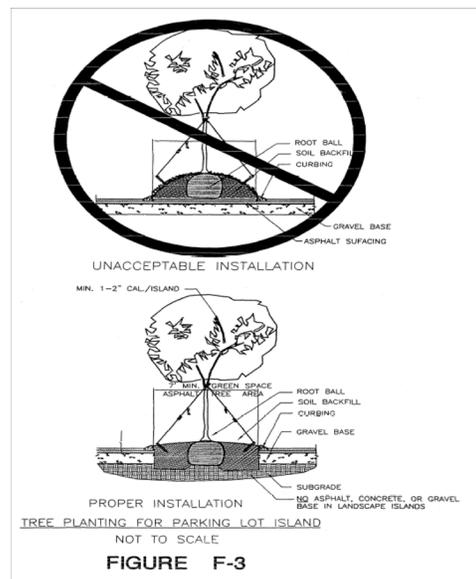


FIGURE F-4

NOTE:  
THE ABOVE IS A MINIMUM SITE DISTANCE REQUIREMENT DUE TO THE FACT THAT  
AUTOMOBILE CIRCULATION VARIES FROM ONE SITUATION TO ANOTHER. THE APPROPRIATE  
SIGHT DISTANCE IS TO BE DETERMINED BY THE REGISTERED ENGINEER OF RECORD ON  
THE PLAN.

**14-209. Floodplain districts.** (1) Statutory authorization, findings of fact, purpose and objectives. (a) Statutory authorization. The Legislature of the State of Tennessee has in Tennessee Code Annotated, §§ 13-7-201 through 13-7-210, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Goodlettsville Board of Commissioners does ordain as follows:

(b) Findings of fact. (i) The Goodlettsville Board of Commissioners wishes to maintain eligibility in the national flood insurance program and in order to do so must meet the requirements of 60.3 of the Federal Insurance Administration Regulations found at 44 CFR ch. 1 (10-1-04 edition).

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

(iii) 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.

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

(i) Restrict or prohibit uses which are vulnerable to water or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;

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

(iii) Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;

(iv) Control filling, grading, dredging and other development which may increase flood damage or erosion; and

(v) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

(d) Objectives. The objectives of this section are:

(i) To protect human life, health and property;

- (ii) To minimize expenditure of public funds for costly flood control projects;
- (iii) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (iv) To minimize prolonged business interruptions;
- (v) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodable areas;
- (vi) 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;
- (vii) To ensure that potential homebuyers are notified that property is in a floodable area; and
- (viii) To maintain eligibility for participation in the national flood insurance program.

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

(a) "Accessory structure" shall represent a subordinate structure to the principal structure and, for the purpose of this section, shall conform to the following:

- (i) Accessory structures shall not be used for human habitation;
- (ii) Accessory structures shall be designed to have low flood damage potential;
- (iii) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
- (iv) Accessory structures shall be firmly anchored to prevent flotation which may result in damage to other structures;
- (v) Service facilities such as electrical and heating equipment shall be elevated or floodproofed.

(b) "Act" means the statutes authorizing the national flood insurance program that are incorporated in 42 USC 4001-4128.

(c) "Addition (to an existing building)" means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by an independent perimeter load-bearing wall, shall be considered "new construction."

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

(e) "Area of shallow flooding" means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent (1%) or greater annual chance of flooding to an average depth of one to three feet (1' – 3') where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. (Such flooding is characterized by ponding or sheet flow.)

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

(g) "Area of special flood hazard" is the land in the floodplain within a community subject to a one percent (1%) or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

(h) "Base flood" means the flood having a one percent (1%) chance of being equalled or exceeded in any given year.

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

(j) "Breakaway wall" means 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.

(k) "Building" means any structure built for support, shelter, or enclosure for any occupancy or storage (see "structure").

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

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

(n) "Emergency flood insurance program" or "emergency program" means the program as implemented on an emergency basis in accordance with section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

(o) "Erosion" means the process of the gradual wearing away of landmasses. This peril is not per se covered under the program.

(p) "Exception" means a waiver from the provisions of the ordinance which comprises this section which relieves the applicant from the requirements of a rule, regulation, order or other determination made or issued pursuant to this section.

(q) "Existing construction" means 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).

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

(s) "Existing structures" see "existing construction."

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

(u) "Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(i) The overflow of inland or tidal waters;

(ii) The unusual and rapid accumulation or runoff of surface waters from any source.

(v) "Flood elevation determination" means a determination by the administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent (1%) or greater chance of occurrence in any given year.

(w) "Flood elevation study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and

determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

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

(y) "Flood Insurance Rate Map (FIRM)" means 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.

(z) "Flood insurance study" is the official report provided by the Federal Emergency Management Agency, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

(aa) "Floodplain" or "flood-prone area" means any land area susceptible to being inundated by water from any source (see definition of "flooding").

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

(cc) "Flood protection system" means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

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

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

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

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

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

(ii) "Floor" means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

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

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

(ll) "Highest adjacent grade" means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

(mm) "Historic structure" means any structure that is:

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

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

(iii) 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

(iv) Individually listed on 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.

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

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

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

(qq) "Manufactured home" means a structure, transportable in one (1) 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 eighty (180) consecutive days or longer.

(rr) "Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

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

(tt) "Mean sea level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this section, 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.

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

(vv) "New construction" means any structure for which the "start of construction" commenced after the effective date of the ordinance

which comprises this section or the effective date of the first floodplain management ordinance and includes any subsequent improvements to such structure.

(ww) "New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed after the effective date of the ordinance which comprises this section or the effective date of the first floodplain management ordinance and includes any subsequent improvements to such structure.

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

(yy) "100-year flood" see "base flood."

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

(aaa) "Recreational vehicle" means a vehicle which is:

- (i) Built on a single chassis;
- (ii) Four hundred (400) square feet or less when measured at the largest horizontal projection;
- (iii) Designed to be self-propelled or permanently towable by a light duty truck; and
- (iv) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

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

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

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

(eee) "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 eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings,

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

(fff) "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.

(ggg) "Structure," for purposes of this section, means 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.

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

(iii) "Substantial improvement" means 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 percent (50%) of the market value of the structure before the "start of construction" of the improvement. The market value of the structure should be:

(i) The appraised value of the structure prior to the start of the initial repair or improvement; or

(ii) In the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed.

For the purpose of this definition, "substantial 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:

(i) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code

specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project; or

(ii) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

(jjj) "Substantially improved existing manufactured home parks or subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

(kkk) "Variance" is a grant of relief from the requirements of this section which permits construction in a manner otherwise prohibited by this section where specific enforcement would result in unnecessary hardship.

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

(mmm) "Water surface elevation" means 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.

(3) General provisions. (a) Application. This section shall apply to all areas within the incorporated area of Goodlettsville, Tennessee.

(b) The areas of special flood hazard identified on the City of Goodlettsville, Tennessee, as identified by Federal Emergency Management Agency (FEMA), and in its Flood Insurance Study (FIS) dated April 5, 2017 and April 17, 2012 and Flood Insurance Rate Map (FIRM), Community 470287 Panel numbers 47037C0126H, 47037C0128H, 47037C0129H, 47037C0133H, 47037C0136H, 47037C0137H dated April 5, 2017 and community panel numbers 47165C0264G, 47165C0270G, 47165C0376G, 47165C0377G, 47165C0378G, 47165C0379G, 47165C0381G, 47165C0383G dated April 17, 2012 along with all supporting technical data, are adopted by reference and declared to be a part of this section.

(c) Requirement for development permit. A development permit shall be required in conformity with this section 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 section and other applicable regulations.

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

(f) Interpretation. In the interpretation and application of the ordinance that comprises this section, all provisions shall be:

(i) Considered as minimum requirements;

(ii) Liberally construed in favor of the governing body;

and

(iii) Deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

(g) Warning and disclaimer of liability. The degree of flood protection required by this section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This section 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 section shall not create liability on the part of the City of Goodlettsville, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this section or any administrative decision lawfully made hereunder.

(h) Penalties for violation. Violation of the provisions of this section or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Goodlettsville, Tennessee from taking such other lawful actions to prevent or remedy any violation.

(4) Administration. (a) Designation of ordinance administrator. The planning director is hereby appointed as the administrator to implement the provisions of this section.

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

(i) Application stage. (A) Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where BFEs are available, or to the highest adjacent grade when applicable under this section;

(B) Elevation in relation to mean sea level to which any non-residential building will be flood-proofed where BFEs are available, or to the highest adjacent grade when applicable under this section;

(C) Design certificate from a registered professional engineer or architect that the proposed non-residential flood-proofed building will meet the flood-proofing criteria in subsection (4)(b);

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

(ii) 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 lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of a registered land surveyor and certified by same. When floodproofing is utilized for a non-residential building said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same.

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

(c) Duties and responsibilities of the administrator. Duties of the administrator shall include, but not be limited to:

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

(ii) Advice to permittee that additional federal or state permits may be required, and if specific federal or state permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit. This shall include section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.

(iii) 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.

(iv) For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to the Federal Emergency Management Agency to ensure accuracy of community flood maps through the letter of map revision process. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.

(v) Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable of the lowest floor including basement of all new or substantially improved buildings, in accordance with subsection (4)(b).

(vi) 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 subsection (4)(b).

(vii) When floodproofing is utilized for a structure, the administrator shall obtain certification of design criteria from a registered professional engineer or architect, in accordance with subsection (4)(b).

(viii) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the administrator shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this section.

(ix) When base flood elevation data or floodway data have not been provided by the Federal Emergency Management Agency then the administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other sources, including data developed as a

result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the community FIRM meet the requirements of this section.

Within unnumbered A Zones, where base flood elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated or floodproofed to a level of at least three feet (3') above the highest adjacent grade (lowest floor and highest adjacent grade being defined in subsection (2) of this section). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in subsection (4)(b).

(x) All records pertaining to the provisions of this section shall be maintained in the office of the administrator and shall be open for public inspection. Permits issued under the provisions of this section shall be maintained in a separate file or marked for expedited retrieval within combined files.

(5) Provisions for flood hazard reduction. (a) General standards. In all flood-prone areas the following provisions are required:

(i) New construction and substantial improvements to existing buildings shall be anchored to prevent flotation, collapse or lateral movement of the structure;

(ii) Manufactured homes shall be elevated and anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;

(iii) New construction and substantial improvements to existing buildings shall be constructed with materials and utility equipment resistant to flood damage;

(iv) New construction or substantial improvements to existing buildings shall be constructed by methods and practices that minimize flood damage;

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

(vi) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;

(vii) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters;

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

(ix) Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this section, shall meet the requirements of "new construction" as contained in this section; and

(x) Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this section, 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:

(i) 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 feet (2') above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls and to ensure unimpeded movement of floodwater shall be provided in accordance with the standards of subsection (5)(b).

Within unnumbered A Zones, where base flood elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated or floodproofed to a level of at least three feet (3') above the highest adjacent grade (lowest floor and highest adjacent grade being defined in subsection (2) of this section). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in subsection (4)(b).

(ii) Non-residential construction. New construction or substantial improvement of any commercial, industrial, or non-residential building, when BFE data is available, shall have the lowest floor, including basement, elevated or floodproofed no lower than one foot (1') above the level of the base flood elevation.

Within unnumbered A Zones, where base flood elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated or floodproofed to a level of at least three feet (3') above the highest adjacent grade (lowest floor and highest adjacent grade being defined in subsection (2) of this section). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in subsection (4)(b).

Buildings located in all A Zones may be flood-proofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the administrator as set forth in subsection (4)(b).

(iii) Elevated building. All new construction or substantial improvements to existing buildings that include any fully enclosed areas formed by foundation and other exterior walls below the base flood elevation, or required height above the highest adjacent grade, shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters 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 not less than one (1) square inch for every square foot of enclosed area subject to flooding;

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

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

(B) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the elevated living area (stairway or elevator).

(C) 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 partitions shall comply with the provisions of subsection (5)(b) of this section.

(iv) Standards for manufactured homes and recreational vehicles. (A) All manufactured homes placed, or substantially improved, on:

(1) Individual lots or parcels;

(2) In expansions to existing manufactured home parks or subdivisions; or

(3) In new or substantially improved manufactured home parks or subdivisions.

Must meet all the requirements of new construction, including elevations and anchoring.

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

(1) When base flood elevations are available the lowest floor of the manufactured home is elevated on a permanent foundation no lower than one foot (1') 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 feet (3') 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 subsection (5)(b)(iv) of this section.

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

(E) All recreational vehicles placed on identified flood hazard sites must either:

(1) Be on the site for fewer than 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.

(3) The recreational vehicle must meet all the requirements for new construction, including the anchoring and elevation requirements of this section above if on the site for longer than one hundred eighty (180) consecutive days.

(v) 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 proposals shall be reviewed to ensure that:

(A) All subdivision proposals shall be consistent with the need to minimize flood damage;

(B) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage;

(C) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards;

(D) Base flood elevation data shall be provided for subdivision proposals and other proposed developments (including manufactured home parks and subdivisions) that are greater than fifty (50) lots and/or five (5) acres in area.

(c) Standards 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 subsection (3)(b) are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

(i) Encroachments are prohibited, including earthen fill material, new construction, substantial improvements or other developments within the regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the cumulative effect of the proposed encroachments or new development, when combined with all other existing and anticipated development, shall not result in any increase the water surface elevation of the base flood level, velocities or floodway widths during the occurrence of a base flood discharge at any point within the community. A registered professional engineer must provide supporting technical data and certification thereof.

(ii) New construction or substantial improvements of buildings shall comply with all applicable flood hazard reduction provisions of subsection (5).

(d) 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 subsection (3)(b), where streams exist with base flood data provided but where no floodways have been designated, (Zones AE) the following provisions apply:

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

(ii) New construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with subsection (5)(b).

(e) Standards for streams without established base flood elevations or floodways (A Zones). Located within the areas of special flood hazard established in subsection (3), 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:

(i) When base flood elevation data or floodway data have not been provided in accordance with subsection (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 subsection (5). Only if data is not available from these sources, then the following provisions ((ii) and (iii)) shall apply.

(ii) No encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet (20'), whichever is greater, measured from the top of the stream bank, unless certification by registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot (1') at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

(iii) In special flood hazard areas without base flood elevation data, new construction or substantial improvements of existing shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three feet (3') above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be

provided in accordance with the standards of subsection (5)(b), and "elevated buildings."

(f) Standards for areas of shallow flooding (AO and AH Zones). Located within the areas of special flood hazard established in subsection (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:

(i) All new construction and substantial improvements of residential and non-residential buildings shall have the lowest floor, including basement, elevated to at least one foot (1') above the flood depth number specified on the Flood Insurance Rate Map (FIRM), in feet, above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated, at least three feet (3') above the highest adjacent grade. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of subsection (5)(b), and "elevated buildings."

(ii) 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 floodproofed and designed watertight to be completely flood-proofed to at least one (1') foot above the specified FIRM flood level, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If no depth number is specified, the lowest floor, including basement, shall be floodproofed to at least three feet (3') above the highest adjacent grade. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this ordinance and shall provide such certification to the administrator as set forth above and as required in subsection (4)(b).

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

(iv) The administrator shall certify the elevation or the highest adjacent grade, where applicable, and the record shall become a permanent part of the permit file.

(g) Standards for areas protected by flood protection system (A-99 Zones). Located within the areas of special flood hazard established in subsection (3) 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 subsections (4) and (5)(a) shall apply.

(h) Standards for unmapped streams. Located within Goodlettsville, Tennessee are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams the following provisions shall apply:

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

(ii) When new elevation data is available, new construction or substantial improvements of buildings shall be elevated or floodproofed to elevations established in accordance with subsection (4).

(6) Variance procedures. The provisions of this section shall apply exclusively to areas of special flood hazard within Goodlettsville, Tennessee.

(a) Board of zoning appeals. (i) The Goodlettsville Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this section.

(ii) 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.

(iii) 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; and

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

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

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

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

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

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

(G) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

(H) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(I) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and

(J) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

(iv) Upon consideration of the factors listed above, and the purposes of this section, the board of zoning appeals may attach such conditions to the granting of variances as it deems necessary to effectuate the purposes of this section.

(v) 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. (i) Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard; and in the instance of a historical building, a determination that the variance is the minimum relief necessary so as not to destroy the historic character and design of the building.

(ii) Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(iii) Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance, and that such construction below the base flood level increases risks to life and property.

(iv) The administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request. (Ord. #08-720, Dec. 2008, as amended by Ord. #12-777, April 2012, and Ord. #16-880, Dec. 2016)

**14-210. Planned unit development district regulations.**

(1) Purpose. These districts are designed to promote flexibility in design and permit planned diversification in the location of structures; to promote efficient use of land that will facilitate a more economic arrangement of buildings; circulation systems, land use, and utilities; to preserve as much as possible existing landscape features and utilize them in a harmonious fashion; to encourage the total planning of tracts of land; and to provide a mechanism for the ownership of land, utilities, streets, and facilities in common as well as the maintenance and disposition thereof.

(2) General provisions. (a) Master plan required. No application for a planned unit development (PUD) district shall be considered unless a master plan meeting the requirements outlined in § 14-210(3)(a) is submitted therewith. Such application shall indicate that the services of one (1) or more design professionals were utilized in the preparation of the plan. In the review and approval of a master plan the Goodlettsville Municipal/Regional Planning Commission is authorized to exercise architectural review of the buildings in order to assure quality of development, compatibility within the community and compatibility with the adjacent and neighborhood properties. Deviations from the approved master plan shall be considered to be violations of the zoning ordinance and shall be punishable as provided by law. Final certificates of occupancy may be withheld pending correction of the violations.

(b) Ownership and division of land. No tract of land may be considered for or approved as a planned development unless such tract is under single ownership. The holder(s) of a written option to purchase, any governmental agency, or a redeveloper under contract with any governmental agency shall be considered landowners for purposes of this section. Unless otherwise provided as a condition of approval of a PUD, the landowner of an adopted PUD may divide and transfer parts of such development. The transferee shall complete each such unit, and use and maintain it in strict conformance with the adopted final master plan. Prior to the transfer of any section, a subdivision plat shall be filed with the Goodlettsville Municipal/Regional Planning Commission.

(c) Relationship to subdivision regulations. The uniqueness of each proposal for a planned unit development may require that specifications for the width and surfacing of streets, public ways, public utility rights-of-way, curbs, and other standards may be subject to modification from the specifications established in the subdivision regulations adopted by the Goodlettsville Municipal/Regional Planning Commission.

Modifications may be incorporated only with the approval of the Goodlettsville Municipal/Regional Planning Commission as a part of its review of the master plan for a PUD and granted as a variance in the preliminary approval of the subdivision, which must be concurrent with

the final approval by the Goodlettsville Municipal/Regional Planning Commission of the master plan.

(d) Combination of separate types of planned unit developments. The Goodlettsville Municipal/Regional Planning Commission and city commission may consider separate types of planned unit developments (residential and commercial) within a consolidated master plan as a single administrative procedure provided the total tract is in single ownership as defined and the land area is sufficient to meet the separate type requirements.

(e) Development period, staging schedule. The expeditious construction of any PUD shall be undertaken to assist in the assurance of the full completion of the development in accord with the approved master plan.

Within one (1) year after the date of approval of the preliminary master plan, the final master plan shall have been submitted and actual construction shall have commenced in such development. In the event that construction has not been started, such approval shall lapse and be of no effect. The Goodlettsville Municipal/Regional Planning Commission may conduct a hearing on the project and review the zoning and feasibility of the PUD and may act to extend approval of the master plan depending upon the circumstances of each case.

The Goodlettsville Municipal/Regional Planning Commission may permit the development to be constructed in stages so that completion is achieved in a logical manner. The following provisions shall govern the staging schedule:

(i) Each stage shall be so planned and so related to existing surroundings and available facilities and services that failure to proceed to the subsequent stages will not have an adverse impact on the planned unit development or its surroundings at any stage of the development.

(ii) Each stage of the master plan, whether preliminary or final, may be considered as an independent unit for purposes of construction of the stage or of cancellation or extension of any approval, and no vested rights shall be attached to any stage by virtue of construction on a previous stage.

(f) Common open space and facilities. Any common open space or public or private facilities shall be subject to the following provisions:

(i) The location, shape, size, and character of the common open space shall be reviewed in detail, and it must be used for amenity or recreational purposes. The uses authorized for the common open space must be appropriate to the scale and character of the planned development considering its size, density, expected population, topography, and the number and type of dwellings or structures to be provided.

(ii) Common open space must be suitable for its intended uses but common open space containing natural features worthy of preservation may be left unimproved. Any such common open space shall be available and usable by residents of the development. The intent for "usable" open space shall be twenty-five percent (25%) of common open space. The buildings, structures, and improvements, which are permitted in the common space must be appropriate to the uses which are authorized for the common open space and must conserve and enhance the amenities of the common open space with regard to its topography and unimproved condition.

(iii) The Goodlettsville Municipal/Regional Planning Commission shall require that the landowner provide for and establish an organization for the ownership and maintenance of any common open space and facilities and such organization shall not be dissolved nor shall it dispose of any common open space, by sale or otherwise (except to an organization conceived and established to own and maintain the common open space), without first offering to dedicate the same to an appropriate public agency and said dedication be approved by the Goodlettsville Municipal/Regional Planning Commission. However, the conditions of any transfer shall conform to the adopted final master plan.

(iv) In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after the establishment of the planned unit development fail to maintain the common open space in reasonable order and condition in accordance with the adopted master plan, the codes director may serve written notice upon such organization and/or the owners or residents of the planned unit development common open space for a period of one (1) year. When the codes director determines that the organization is not prepared for the maintenance for the common open space such agency shall continue maintenance for yearly periods.

(v) The cost of such maintenance by such agency shall be assessed proportionally against the properties within the planned unit development that have a right of enjoyment of the common open space, and shall become a lien on said properties.

(vi) If the common open space is deeded to a homeowners association, the developer shall file a declaration of covenants and restrictions that will govern the association, to be submitted with the application for final approval. The provisions shall include, but not be limited to the following:

(A) The homeowners association must be set up before the homes are sold.

(B) Membership must be mandatory for each home buyer and any successive buyer.

(C) The open space restrictions must be permanent, not just for a period of years.

(D) The association must be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities.

(E) Homeowners must pay their pro rata share of the cost, and the assessment the association can become a lien on the property.

(F) The association must be able to adjust the assessment to meeting changing needs.

(g) Dedication of public facilities. The Goodlettsville Municipal/Regional Planning Commission and city commission may require that suitable areas for streets, utilities, public rights-of-way, schools, parks, and public areas be set aside and/or dedicated to the city.

(h) Waiver of board of zoning appeals action. No action of the board of zoning appeals shall be required in the approval of a PUD including those activities which would otherwise require conditional use permits under other chapters of this ordinance. In the process of master plan approval for a PUD the Goodlettsville Municipal/Regional Planning Commission shall function as the board of zoning appeals. The action of the Goodlettsville Municipal/Regional Planning Commission and city commission shall be final.

(3) Administrative procedure. The provisions of this section govern the procedure for review and approval for all planned unit developments as provided herein. Any landowner or developer, as defined, may apply for PUD zoning in any area subject to these provisions. The city commission may, within its legislative power, impose PUD zoning upon any land area, and after such action, the landowner shall follow the remaining procedures before any zoning permits can be issued and the land developed.

(a) Steps of approval process.

(i) The applicant may request a pre-application conference with city staff to evaluate the proposal and to determine and clarify any issues that may arise.

(ii) The applicant shall submit a preliminary master plan and rezoning request to the planning director for Goodlettsville Municipal/Regional Planning Commission consideration along with the required fees.

(iii) The Goodlettsville Municipal/Regional Planning Commission may approve or reject the request. If approved, the Goodlettsville Municipal/Regional Planning Commission shall

recommend the necessary PUD zoning to the city commission. If rejected, the applicant may appeal the decision to the city commission.

(iv) After approval of the preliminary plan and amendment of the zoning map, preparation of the final master plan may begin.

(v) Within one (1) year after approval of the preliminary master plan, the applicant shall submit a final master plan to the planning director for Goodlettsville Municipal/Regional Planning Commission for consideration. If any part of the PUD is to be subdivided, a preliminary subdivision plat shall also be submitted. Both documents may be considered simultaneously. Approval of the final master plan shall form the basis for all permits, variances, and standards for the PUD. After approval of the final master plan, the applicant shall have recorded an official copy of said plan.

(vi) Prior to the sale or transfer of any property, the applicant shall submit and have approved and recorded a final subdivision plat.

(vii) Both the preliminary and final master plans shall be prepared and stamped by registrants of the State of Tennessee who are licensed to practice the particular discipline being prepared (e.g., site layout and drainage by civil engineers, boundary surveys by surveyors, landscape plans by landscape architects).

(viii) If the application is incomplete, the planning director shall hold in abeyance the formal review by the Goodlettsville Municipal/Regional Planning Commission until such time as complete information is submitted.

(b) Application for approval of the preliminary master plan and zoning request. Application for approval of the preliminary master plan shall be made by the landowner of the affected property or his authorized agent to the planning director in accordance with such written general rules regarding general procedure, form of application, and required information as the Goodlettsville Municipal/Regional Planning Commission may determine, provided they are not inconsistent herewith. The application for preliminary approval shall consist of the following:

(i) The preliminary master plan for the proposed planned unit development shall be a general concept plan which shall include such items as the Goodlettsville Municipal/Regional Planning Commission by general rule shall specify in order to disclose;

(A) The location and size of the area involved,

(B) Transportation routes including streets, driveways, sidewalks, and pedestrian ways, and off-street parking and loading areas,

(C) Location and approximate dimensions of structures including approximate height and bulk and the utilization of structures including activities and the number of living units,

(D) Location and extent of required landscape buffer yards and a generalized plan to indicate how the landscaping regulations will be met,

(E) Estimated population and density and extent of activities to be allocated to parts of the project,

(F) Reservations for public uses including schools, parks and other open spaces,

(G) Availability commitments from the appropriate water and sewer provider,

(H) Major landscaping features including topography,

(I) The general means of the disposition of sanitary wastes and storm water, and

(J) North arrow, graphic scale, and location map showing relationship to existing street system and adjoining properties.

(ii) A tabulation of the land area to be devoted to various uses and activities and overall densities.

(iii) The nature of the landowner's interest in the land proposed to be developed and a written statement or concurrence from all parties having a beneficial interest in the affected property.

(iv) The general substance of covenants, grants of easements or other restrictions to be imposed upon the use of the land, buildings and structures including proposed easements for public utilities.

(v) A development schedule, setting forth when the landowner intends to commence construction and an estimated completion period.

(vi) When it is proposed that the final master development plan will be submitted in stages, a schedule of submission thereof.

(vii) A filing and review fee in an amount determined according to the standard fee schedule as approved by the city commission.

(viii) A general summary explaining the character, intent, and financing of the PUD.

(c) Application for approval of the final master plan. The action of the city commission on the zoning request and the preliminary master plan shall authorize and form the basis for the Goodlettsville Municipal/Regional Planning Commission approval of a final master plan.

(i) Application for final approval. After zoning to a planned unit development district, the landowner may make application to the Goodlettsville Municipal/Regional Planning Commission for approval of a final master development plan, provided that the proposed master development plan and other elements associated with the planned unit development are in substantial compliance with the substance of the preliminary approval of the Goodlettsville Municipal/Regional Planning Commission. The application shall include all aspects of the preliminary application, the proposed final master development plan, other required drawings, specifications, covenants, easements, and conditions and forms of bonds as were set forth by the Goodlettsville Municipal/Regional Planning Commission preliminary approval. Copies of all legal documents required for dedication or reservation of group or common open space and/or for the creation of a non-profit association shall also be submitted. When appropriate, this application shall contain the stage development schedule.

(ii) Final approval of stages. The application for final approval and the final approval by the Goodlettsville Municipal/Regional Planning Commission may be limited to each stage as appropriate in a large planned unit development.

(iii) Final master development plan. The final master plan of a planned unit development, or as submitted in stages if so authorized, shall be substantially consistent with the approved preliminary master plan and must in addition show the following:

(A) Detailed building plans showing front, rear and side elevations including materials proposed to be used and the percentage of each material used upon each elevation,

(B) Detailed landscaping plans which shall include trees, shrubs and flowering plants with species, quantities and sizes clearly indicated,

(C) Elevations as necessary,

(D) Location of gas, water, sewerage, and drainage facilities,

(E) Details and locations of signs,

(F) Plans for street and parking lot improvements,

(G) Location and use of all common open space area,

(H) Grading plans showing existing and proposed topography,

(I) Additional information as determined by the Goodlettsville Municipal/Regional Planning Commission to indicate fully the ultimate operation and appearance of the PUD.

(d) Amendments to the PUD. The terms, conditions, and the final master plan of a PUD may be changed from time to time by official action of the Goodlettsville Municipal/Regional Planning Commission. Any such amendments must remain in compliance with the appropriate zoning regulations and comply with the following.

The landowner, the residents and/or owners of or in the PUD may apply to the Goodlettsville Municipal/Regional Planning Commission for an amendment to the master plan. The Goodlettsville Municipal/Regional Planning Commission may approve such amendment so long as the original intent is not abrogated and the change does not in any way damage any part of the PUD nor any adjoining properties. Minor changes in the location, size and height of buildings may be authorized by the Goodlettsville Municipal/Regional Planning Commission if required by engineering or other circumstances of the location not foreseen at the time of final approval. Other changes in use, rearrangement of lots, blocks, or building tracts, provisions for open space, or any other desired change must be justified by changes in conditions or markets since the final plan was approved.

(e) Extension of an adopted planned unit development. The Goodlettsville Municipal/Regional Planning Commission may act to extend approval of any master plan in accordance with § 14-210(2)(e) or upon the request of the landowner.

(f) Zoning permits and use and occupancy permits. A zoning permit shall be issued for structures, buildings, activities, or uses as a part of a finally adopted planned unit development only in strict compliance with the master development plan of the particular planned unit development including the conditions of approval and only after the administrative procedure outlined in this section has been strictly adhered to. No zoning permit shall be issued for the area included in a preliminary planned unit development unit a final master development plan has been approved and adopted.

(g) Use and occupancy permit. A use and occupancy permit shall be issued only when the codes director determines that the structure, building, activity, or use conforms to the final master development plan as approved by the Goodlettsville Municipal/Regional Planning Commission.

(4) Residential planned unit developments. (a) Type of developments. There are hereby created three (3) types of residential PUDs as follows:

Low Density Residential PUD - LDRPUD  
 Medium Density Residential PUD - MDRPUD  
 High Density Residential PUD - HDRPUD

(b) Purpose. The purpose of a LDRPUD and a MDRPUD is to permit development of land, which by reason of topography or floodable land contains some areas unsuitable for development and to permit the clustering of lots in order to leave the unsuitable land as permanent open space. The preservation of land in open space for amenity value, recreation, wildlife habitat or forest protection is also a suitable purpose for PUD zoning.

The purpose of a HDRPUD is to permit a variety of housing types within a totally planned environment.

(c) Minimum size. The minimum size of any residential PUD shall be five (5) acres.

(d) Permitted activities in a residential PUD. The activities listed in Table I in the appendix may be permitted in a RPUD only when deemed appropriate by the Goodlettsville Municipal/Regional Planning Commission and city commission as approved with the preliminary master plan. Those listed as not permitted may not be approved by the Goodlettsville Municipal/Regional Planning Commission. Other activities not listed below are prohibited.

(e) Limitation on commercial activities. The commercial activities permitted in Table I shall be limited to no more than four percent (4%) of the total floor area within such development and provided further that the maximum floor area for any single establishment shall be five thousand (5,000) square feet. Such commercial activities shall be designed to serve primarily the residents within the PUD and shall not be constructed until at least one-half (1/2) of the residential units are complete.

(f) Density, bulk, and open space regulations.

(i) Low density residential planned unit development. The maximum overall density shall be 1.7 dwelling units per gross acre. The minimum lot size shall be fifteen thousand (15,000) square feet. The remaining area shall be left as common open space and used for the designated purposes. The minimum yard requirements for each lot are as follows:

Minimum front yard	30 feet
Minimum side yard	10 feet
Minimum rear yard	20 feet
Minimum open space	4.0 percent

The Goodlettsville Municipal/Regional Planning Commission may consider a request to vary the minimum side yard requirements based upon characteristics of the lot, type of house and building footprint considerations provided that in case

shall a side yard be less than five feet (5') and that the minimum separation between buildings shall be fifteen feet (15').

(ii) Medium density residential planned unit development. The maximum overall density shall be three (3) dwelling units per acre. The minimum lot size shall be established by the preliminary master plan based on the purpose and characteristics of the PUD and the area in which it is proposed to be located. The minimum yard and open space requirements shall be as follows:

Minimum front yard	25 feet
Minimum side yard	05 feet
Minimum rear yard	15 feet
Minimum open space	7.0 percent

The minimum side yard may be observed: provided however, that the minimum separation between buildings shall be fifteen feet (15').

(iii) High density residential planned unit development.

(A) The maximum overall densities shall be in terms of the number of dwelling units per gross acre of all the area within said development.

(B) The maximum floor area shall be in terms of a ratio of total floor area per total area within said development, as provided herein.

(C) Yard requirements are waived and the following minimum controls shall be applied.

Maximum density	7/acre
Maximum floor area ratio	.20
Minimum open space	20 percent
Maximum building height	3 stories

(D) The Goodlettsville Municipal/Regional Planning Commission and City Commission may authorize a high density residential planned unit development to be increased in density up to fifteen (15) units per acre for projects in commercial center mixed use areas with infrastructure to support the increased density including pedestrian connections to the mixed use commercial center areas. Maximum floor area ratio 1.0, maximum building height four (4) stories but may be increased to be consistent with the adjacent commercial developments in commercial center mixed uses areas. The minimum open space twenty percent (20%) and minimum size of site may be reduced in size as determined by planning commission and city commission during master plan review.

(iv) Special high rise projects. The Goodlettsville Municipal/Regional Planning Commission and City Commission

may authorize a PUD to be a high rise project if said project is specifically designed for the use and occupancy of persons sixty (60) years old or older. The following requirements shall apply:

Maximum density	25/acre
Maximum floor area ratio	1.0
Minimum open space	20 percent
Maximum building height	6 stories

The minimum size of site may be reduced to three (3) acres.

(g) Limitation on density. The Goodlettsville Municipal/Regional Planning Commission and City Commission may, within their discretion, limit the density to a figure lower than the maximum permitted above. This type of limitation shall be exercised only if the character of the adjoining neighborhood is inappropriate for the proposed development or if the development would place an excessive burden on the existing street and utility system.

(h) Development standards.

(i) Perimeter requirements. Along the perimeter of the PUD, buildings shall be designed to harmonize in scale, setbacks, and mass with existing adjacent areas. Perimeter landscaping shall also be required. The minimum building setback along the perimeter of the site shall be thirty-five feet (35'). The minimum setback from a public street that is external to the PUD shall be fifty feet (50').

(ii) Landscaping requirements. Every PUD shall be attractively landscaped. The perimeter and parking lot landscaping requirements of § 14-202 shall apply.

(iii) Off-street parking. The off-street parking space requirements contained in § 14-202 shall apply as applicable.

(iv) Signs. The sign provisions of the Goodlettsville Sign Ordinance shall apply. All sign locations and designs shall be shown on or as a separate element of the final master plan.

(v) Street improvements. Within any PUD, streets may be public or private; provided that streets in a low density PUD shall be public. If the developer requests that the streets be dedicated to the public, specifications and procedures of the subdivision regulations shall apply. Streets may be privately constructed and maintained either by the landowner/developer or deeded to the homeowners association and shall be subject to the following standards.

(A) The base of streets shall consist of eight inches (8") of crushed stone or gravel, compacted.

(B) The surface of all streets shall consist of hot plant mix asphalt or better materials, two inches (2") in depth, rolled and compacted.

(C) Pavement widths shall be as follows:

Collector street - 20 feet

Minor street - 18 feet

One way street - 12 feet

(D) Dead-end streets shall be provided with adequate turn-around space.

(iv) Utilities. All utility services connections shall be underground and shall commence at the property line unless otherwise approved by the Goodlettsville Municipal/Regional Planning Commission. All lighting plans must meet Nashville Electric Services Street Lighting Design Manual standards and any subsequent amendments to such manual and be approved by the Goodlettsville Municipal/Regional Planning Commission. The development shall be serviced with public sanitary sewerage systems. The water systems shall be capable of providing needed fire flows for the development as well as domestic water supply. Fire hydrants shall be installed a maximum of five hundred feet (500') apart except for areas of detached dwellings where the fire hydrants may be spaced so that no dwelling is farther than five hundred feet (500') away from such hydrant.

(vii) Waste disposal. If any central waste disposal containers are provided, they shall be completely enclosed with the covering materials to be similar to those used on the buildings and screened from view with landscaping materials.

(viii) Development standards for multi-family projects.

(A) The spacing of all buildings contained in multi-family dwellings shall be as set forth in § 14-208.

(B) Each dwelling unit shall be provided with reasonable visual and acoustical privacy. Fences, walks, and landscaping shall be provided for the protection and aesthetic enhancement of the development and privacy of the occupants, screening of objectionable views or uses and the reduction of noise.

(C) Street sidewalks and on-site walks shall be provided for convenient and safe access to all living units from streets, driveways, parking courts or garages and for convenient circulation and access to all facilities.

(D) The appearance and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features; and additional new plant material shall be added for privacy, shade, beauty of buildings and grounds and the screen out objectionable features. The planting plan shall be submitted with the site development plan. Existing trees, shrubs, evergreens and

ground cover shall be retained to the extent that they enhance the project, are effective as a screen planting or are useful in protecting slopes.

(E) Adequate recreation facilities for the residents of the project shall be provided in locations easily accessible to the living units and where they do not impair the view and privacy of living units.

Attractive outdoor sitting areas shall be provided, appropriate in size, type and number to the needs of the residents.

Well-equipped playgrounds of adequate size and number shall be provided, where it is anticipated that children will occupy the premises.

(F) Access and circulation shall adequately provide for fire fighting equipment, service deliveries, furniture moving vans and refuse collection.

(G) Off-street parking may be grouped in bays, either adjacent to streets or in the interior of blocks. Such parking areas shall generally be located in close proximity to the dwelling units they are designed to serve. At least one (1) parking space per dwelling unit shall be located so as to provide a maximum walking distance of two hundred feet (200') from the nearest entrance of the dwelling unit the space is to serve. Where appropriate, common driveways, parking areas, walks and steps shall be provided, maintained and lighted for night use. Screening of parking and service areas shall be in accordance with the landscape requirements of § 14-208.

(ix) Development standards for attached dwellings.

(A) The minimum lot required for any individual attached dwelling shall be as required to meet other provisions of these regulations. Individual attached dwellings may exceed the maximum lot coverage provisions established for the area in which such site is located. However, in no instance shall the aggregate site coverage of all dwellings, attached or otherwise, exceed the coverage provisions established for the PUD district in which such site is located.

(B) Not more than six (6) contiguous town houses shall be built in a row with the same or approximately the same front line, and not more than twelve (12) town houses shall be contiguous.

(C) The spacing of buildings containing attached dwellings shall be as required by § 14-208.

(D) Yards.

(1) For units located along the periphery of a site containing attached dwellings, the yard provisions established for the district adjacent to the perimeter shall apply subject to a maximum front yard for the attached dwellings of thirty feet (30').

(2) For units located entirely within a site, no side or rear yard as such is required in connection with any attached dwelling located entirely within a site containing attached dwellings but each such unit shall on its own lot have one (1) yard containing not less than two hundred fifty (250) square feet. This yard shall be reasonably secluded from view from streets or from neighboring property and shall not be used for off-street parking or for any accessory building.

(E) No attached dwelling shall exceed two (2) stories in height.

(F) Parking shall be provided as required in § 14-208. However, attached dwellings may be constructed with one (1) off-street parking space required and the other required space constructed in bays either adjacent to the streets or in the interior of blocks. Such spaces shall be located within two hundred feet (200') of each unit to be served. Where appropriate, common driveways, parking areas, walks and steps shall be provided, maintained and lighted for night use. Screening of parking and service areas shall be encouraged through ample use of trees, shrubs, hedges, and screening walls.

(G) Each dwelling unit shall be provided with reasonable visual and acoustical privacy. Fences, walks, and landscaping shall be provided for the protection and aesthetic enhancement of the development and privacy of the occupants, screening of objectionable views or uses, and the reduction of noise.

(H) Streets sidewalks and on-site walks shall be provided for convenient and safe access to all living units from streets, driveways, parking courts, or garages and for convenient circulation and access to all facilities.

(x) Quality and improvement of common open space. No open area may be accepted as common open space under the provisions of this section unless the location, shape, size and character of the common open space is appropriate to the scale and character of the development considering its size, density, expected

population, topography, and the number and type of dwellings to be provided.

Common open space must be suitably improved for its intended use, but common open space containing natural features worthy of preservation, steep slopes, or floodplains may be left unimproved. Any buildings, structures, and improvements which are permitted in the common open space must be appropriate to the uses which are authorized for the common open space having regard to its topography and unimproved condition.

If the master plan provides for buildings, structures, and improvements, in the common open space of value in excess of ten thousand dollars (\$10,000.00), the developer must provide a bond or other adequate assurance that the buildings, structures, and improvements will be completed. The Goodlettsville Municipal/Regional Planning Commission shall release the bond or other assurance when the buildings, structures, or improvements have been completed according to the development plan.

(5) Commercial planned unit developments. (a) Type of developments. There are hereby created four (4) types of commercial planned unit developments as follows:

Commercial planned unit development - CPUD

Commercial planned unit development limited - CPUDL

General office planned unit development - GOPUD

Restricted office planned unit development - ROPUD

(b) Purpose. The general purpose of commercial PUD districts is to provide for a wide range of activities developed for high quality and under controlled conditions.

(c) Feasibility study. The Goodlettsville Municipal/Regional Planning Commission or the city commission may require a feasibility study/market analysis for any proposed commercial planned unit development. The study will be utilized, among other things, to determine the impact of the proposed development on the long-range development of the commercial land use in the city, the timing of any proposed development to ascertain the effects of a proposed development upon lands used or zoned for commercial purposes, to form a basis for evaluating the estimated effects on traffic, the financial capability of the developer, and other purposes which assist in an understanding of the public interest pertinent in the evaluation of a proposed development. The study, if required, shall be provided by the landowner and the landowner shall provide any other economic data or analysis as may be reasonably requested by the Goodlettsville Municipal/Regional Planning Commission and/or city commission.

(d) Minimum size. The minimum size for each type commercial PUD shall be as follows:

CPUD	-	5 acres
CPUDL	-	No minimum
GOPUD	-	5 acres
ROPUD	-	1 acre

(e) Permitted activities. The activities listed in Table I in Appendix A may be permitted as a part of PUD only when such activities are approved as a part of the final master plan and deemed appropriate by the Goodlettsville Municipal/Regional Planning Commission. A change in use may be granted by the codes director only when the change is to a similar use or activity. Activities not listed are prohibited.

(f) Bulk regulations for commercial PUDs. The building intensity, height, and open space requirements shall be as follows:

(i) Maximum floor area ratio and lot coverage.

CPUD	-	1.0
CPUDL	-	0.3
GOPUD	-	0.75
ROPUD	-	0.15

The maximum lot coverage for all buildings shall be forty percent (40%) in all cases.

(ii) Maximum building height.

CPUD	-	7 stories
CPUDL	-	4 stories
GOPUD	-	7 stories
ROPUD	-	4 stories

Any building in excess of thirty-five feet (35') in height shall be provided with a complete sprinkler system furnished with an adequate water supply.

(iii) Setback requirements. The following building setback requirements shall be observed. Front setbacks shall be required from any public street. Side and rear setbacks shall be required from any exterior property line. Setbacks from private streets or interior property lines shall be established by the approval of the master plan.

	Front	
CPUD	-	60 feet
CPUDL	-	40 feet
GOPUD	-	50 feet
ROPUD	-	40 feet
	Side and Rear	
CPUD	-	30 feet
CPUDL	-	20 feet
GOPUD	-	15 feet

## ROPUD - 15 feet

For a building in excess of two (2) stories, the side and rear yard requirement shall be increased five feet (5') per story in excess of two (2),

Provided further that permanent open, landscaped area meeting the requirements of § 14-208 shall be maintained. No buildings or parking areas shall be permitted in any required permanent open space.

(g) Off-street parking. Loading, and vehicular access.

(i) Off-street parking and loading space shall be provided in accordance with the provisions for off-street parking contained in § 14-208. Parking lot landscaping shall be provided in accordance with the landscaping provisions of § 14-208.

(ii) Vehicular access locations shall be provided so that vehicles entering or departing a planned unit development site shall do so only at such locations. Elsewhere along the property lines of said planned unit development site a physical separation between the said site and public rights-of-way shall be provided. A vehicular access location shall consist of such entrance and exit driveway openings so designed and located so as to minimize hazardous vehicular turning movements and traffic congestion. Such design and location shall be subject to the approval of the city engineer working in conjunction with the Goodlettsville Municipal/Regional Planning Commission.

(A) No vehicular access location serving a planned unit development site shall be:

(1) Within twenty-five feet (25') of the intersection of street right-of-way lines, bounding, in part, the same planned unit development site, and

(2) Within one hundred fifty feet (150') of any interchange ramp. Such distance shall be measured from a point where the centerline of the ramp intersects with the edge of the pavement of the travelway of the intersecting street.

(h) Permitted signs. Signs may be permitted in accordance with the provisions of the Goodlettsville Sign Ordinance. Sign locations and character shall be approved as a part of the final master plan.

(i) Other regulations.

(A) If an area is reclassified to any commercial PUD and such area contains existing houses, then such house may not be converted into use as an office or commercial building, the intent being to encourage new construction and the aggregation of small parcels into larger tracts. (Ord. #06-674, June 2006, as amended by Ord. #14-817, May 2014, and Ord. #17-909, Dec. 2017)

**14-211. Performance standards.** (1) Purpose and intent. The purpose of this section is to establish regulations and standards for the installation and operation of industrial, commercial, community facility uses, based upon consideration of the objectionable characteristics of such uses and the districts in which they are permitted.

In all districts, as indicated in each respective district, any permitted use or any conditional use and every building or structure or tract of land that is established, developed, or constructed shall comply with each and every performance standard contained herein.

When any use or building or other structure is extended, enlarged, or reconstructed after the effective date of this ordinance, the applicable performance standards shall apply to such extended, enlarged, or reconstructed portion or portions of such use of building or other structure.

The provisions of this chapter shall apply notwithstanding the issuance after the effective date of this ordinance of any zoning permit or use and occupancy permit.

Performance standards are not applicable to the temporary construction, excavation, grading and demolition activities which are necessary and incidental to the development of facilities on the same zone lot, on another of several zone lots being developed at the time, or on the public right-of-way or easement for a community facility activity.

In the case of any conflict between the activity type and the performance standards, the latter shall control. In the case of any conflict between the performance standards set forth herein and any rules and regulations adopted by other governmental agencies, the more restrictive shall apply.

(2) Performance of standard regulations. The following performance standard regulations shall apply to all uses of property as indicated in each respective district:

(a) Prohibition of dangerous or objectionable elements. No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard; noise or vibration, smoke, dust, odor, or other form of air pollution; heat, cold, dampness, electrical, or other disturbance; glare; liquid or solid refuse or wastes; or other substance, condition, or element in such a manner or in such amount as to adversely effect the surrounding area of adjoining premises (referred to herein as "dangerous or objectionable elements"); provided, that any use permitted or not expressly prohibited by this ordinance may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements at the point of the determination of their existence.

(b) Performance standards regulating noise.

(i) Definitions. For the purpose of this section, the following terms shall apply:

(A) ANSI: American National Standards Institute or its successor bodies.

(B) A-weighted sound pressure level: The sound pressure level as measured with a sound level meter using the A-weighting network. The symbol for this standard is dB(A).

(C) Decibel: a unit of intensity of sound pressure. The decibel scale is a logarithmic scale of ratios of pressure with respect to a reference pressure. It is abbreviated as dB.

(D) Impact sound: A sound produced by two (2) or more objects (or parts of a machine) striking each other, so as to be heard as separate distinct noises.

(E) Noise: A subjective description of an undesirable or unwanted sound.

(F) Sound level: In decibels, a weighted sound pressure level, determined by the use of metering characteristics and frequency weightings specified in ANSI S1.4-1971 "specifications for sound level meters."

(G) Sound level meter: An instrument, including a microphone, amplifier, EMS detector and integrator, time average, output-meter and /or visual display and weighting networks, that is sensitive to pressure fluctuations. The instrument reads sound pressure level when properly calibrated and is of Type I or better as specified in ANSI publication S1.4-1971 or its successor publication.

(H) Steady state: A noise or vibration, which is continuous such as from a fan or compressor.

(ii) Method of measurement. For the purpose of measuring the intensity of noise, the sound level meter as defined above shall be used. Noise levels shall be measured using an A-weighted sound pressure level scale. Impact noises shall be measured using the fast response of the sound level meter, and other noises using the slow response. For purposes of this section, impact noises shall be considered to be those noises whose peak values are more than three (3) decibels higher than the values indicated on the sound level meter.

(iii) Maximum permitted sound levels. The maximum permitted sound pressure levels in decibels across zone lot lines and district boundaries shall be in accordance with the following table. This table shall be used to determine the maximum noise level, measured in A-weighted decibels, which shall be permitted at the property line of the closest use in each of the following categories.

Table of maximum permitted sound levels		
Adjacent land use	Sound level limit (dBA)	
	7 A.M. to 7 P.M.	7 P.M. to 7 A.M.
Residential	60	55
Industrial	75	75
All other uses	65	60

(iv) Exemptions. The standards set forth in this section shall not apply to emergency warning devices, lawn care equipment used during daylight hours and equipment used in construction during daylight hours.

(c) Performance standards regulating vibration. No vibration other than from a temporary construction operation or a transportation facility shall be permitted which is discernible without instruments at the zone lot line of the zone lot on which the vibration source is situated.

For purposes of this section, vibration shall include the type of vibration which is a reciprocating movement transmitted through the earth and impact vibration produced by two or more objects (or parts of a machine) striking each other.

(d) Performance standards regulating smoke, gases, dust, and particulate matter. In the Davidson County section of Goodlettsville "all uses and activities" shall comply with the air pollution regulations of the metropolitan health department, pollution control division. In the Sumner County section of Goodlettsville all uses and activities shall comply with the air pollution regulations of the department of environment and conservation, division of air pollution control. Such regulations shall be enforced by each respective agency.

(f) Performance standards regulating odors.

(i) Definitions.

(A) Odorous matter: Solid, liquid, or gaseous material, which produces an olfactory response in a human being.

(B) Odor threshold concentration: The lowest concentration of odorous matter, which will produce an olfactory response in a human being.

(ii) Emission of odorous matter. Within the IR and IG districts, odorous matter released from any operation or activity shall not exceed the odor threshold concentration beyond the

district boundary of any residential, commercial or agricultural district.

Within all other districts, odorous matter released from any operation or activity shall not exceed the odor threshold concentration beyond the zone lot line.

As a guide to classification of odor, it shall be deemed that strong odors of putrefaction and fermentation tend to be obnoxious and that such odors as associated with baking or the roasting of nuts or coffee shall not normally be considered obnoxious within the meaning of this section.

(f) Performance standards regulating toxic matter and fire and explosive hazards. The use and/or storage of any toxic, detonable, or explosive materials and any fire hazard solids, liquids or gases shall be in strict accordance with the current NFPA code as adopted by the city. Adequate precautions shall be taken to protect against any negative off-site impacts of any hazardous or toxic materials release, using best available technology. Any such release shall be a violation of this ordinance punishable as provided by law.

(g) Performance standards regulating glare and electromagnetic interference.

(i) Definitions.

(A) Foot candle: a unit of illumination. Technically the illumination at all points one foot (1') distance from a uniform point source of one (1) candlepower.

(ii) Limitation of glare. In all districts, any operation or activity producing glare shall be conducted so that direct and indirect light from the source shall not cause illumination in excess of one-half (1/2) feet candles when measured at a residential district boundary or at the street right-of-way line.

All site lighting shall be shielded so that substantially all directly emitted light falls within the property line of the lot emitting the light. No illumination shall produce direct, incident or reflected light that interferes with the safe operation of motor vehicles on public streets. Lighting prohibited by this provision shall include, but not be limited to any light that may be confused with or construed as a traffic-control device.

(iii) Electromagnetic interference. In all districts, no operations or activities shall be conducted which cause electrical disturbances to be transmitted across zone lot lines.

(h) Performance standards regulating radioactive materials. The manufacture, storage, and utilization of radioactive materials shall be prohibited except for use as a part of medical practice and facilities and such use shall be in accordance with the state regulations.

(i) Nonconforming uses by reason of performance standards. Any use existing on the effective date of this ordinance, or subsequent amendment as applicable, and permitted by right that does not meet the requirements of one or more of the performance standards established explicitly in this section or by reference shall be subject to the nonconforming use provisions of § 14-212. (Ord. #06-674, June 2006)

**14-212. Provisions governing nonconforming uses and noncomplying buildings or other structures.** (1) Nonconforming uses. The provisions of this section are applicable to all uses which are not permitted within the districts in which they are located.

(a) Continuation of nonconforming use. Any nonconforming use which existed at the time of enactment of this ordinance and which remains nonconforming, or any use which shall become nonconforming upon enactment of this ordinance, or any subsequent amendments thereto may be continued subject to the provisions, contained in this section. Provided however, that nothing herein shall be construed to authorize the continuation of any illegal or nonconforming use which was illegal prior to the adoption of this ordinance.

(b) Repairs and alterations. Nothing in this section shall prevent the strengthening or restoring to a safe condition of any part of any building or structure declared unsafe by proper authority.

(i) Incidental alterations. Incidental alterations as defined by this ordinance may be made to a building or other structure occupied by a nonconforming use, or in connection with a permitted change of a nonconforming use.

(ii) Alterations other than incidental alterations. No alterations other than incidental alterations shall be made to a building or other structure occupied by a nonconforming use, except as provided below or when made:

(A) In order to comply with requirements of law regarding fire protection, safety of the structure, etc., or

(B) In order to conform to the applicable district regulations or performance standards.

(iii) Alteration of commercial and industrial uses. Any commercial or industrial use subject to the provisions of this section shall be allowed to continue in operation and to make such alterations as may prove necessary for the continuation of said use. However, no alteration may be made which would result in a change from one nonconforming use to another and further provided that any such alteration permitted hereunder shall take place only upon the zone lot(s) on which said use was operating as of the effective date of this ordinance.

(c) Expansion. The nonconforming use or part of a building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, may be extended throughout the building or structure in which said use is presently located, but no changes or structural alterations which increase the bulk of the building or structure shall be made unless such changes or structural alterations and the use thereof conform to all the regulations of the district in which the building or structure is located.

(i) Expansion of commercial and industrial uses. Any commercial or industrial use subject to the provisions of this section shall be allowed to continue in operation and to expand provided that no expansion permitted under this section:

(A) Shall result in a change of one nonconforming use to another nonconforming use which increases the degree of nonconformity;

(B) Shall infringe, or increase the extent of any infringement existing at the time of adoption of this ordinance, upon any open space required by this ordinance;

(C) Shall take place beyond the zone lot(s) on which said use was operating as of the effective date of this ordinance.

(d) Change of use. For the purpose of this section, a change in use is a change to another use either under the same activity type or any other activity type that constitutes a reduction in the degree of nonconformity; however, a change in ownership shall not, by itself, constitute a change of use.

A nonconforming use may be changed to any conforming use, and the applicable bulk regulations and accessory off-street parking requirements shall apply to such change of use or to alterations made in order to accommodate such conforming use.

A nonconforming use may be changed to another nonconforming use provided that:

(i) Any structural alterations or enlargements can be accomplished in accordance with all applicable bulk regulations;

(ii) The degree of nonconformity or noncompliance is not increased;

(iii) The nonconforming use to which such change is made will be less detrimental to the neighborhood than the existing nonconforming use.

(e) Damage or destruction. Any commercial, industrial, or single-family residential use subject to the provisions of this section shall be allowed to reconstruct new facilities necessary to the conduct of such operation, provided that no destruction or rebuilding;

(i) Shall result in a change of one nonconforming use to another nonconforming use which increases the degree of nonconformity;

(ii) Shall infringe upon, or increase the extent of any infringement existing at the time of this ordinance, upon any open space, bulk and lot requirements established by this ordinance.

(iii) Shall take place only upon the zone lot(s) on which said use was operating as of the effective date of this ordinance, and shall be reconstructed within one (1) year.

(f) Discontinuance. When a nonconforming use in any building or other structure or tract of land is discontinued for a period of two and one-half (2 1/2) years, then the land or building or other structure shall thereafter be used only for a conforming use. Intent to resume a nonconforming use shall not affect the foregoing provisions.

(g) Special provisions governing nonconforming buildings within floodplain districts.

(i) General provisions. In all districts or portions thereof which extend into the floodplain districts as established by § 14-209, any building or other structure or use which is not permitted in the floodplain district provisions shall become nonconforming upon the effective date of this ordinance, or subsequent amendment as applicable.

(ii) Enlargements of buildings within the floodplain. A building or other structure which is nonconforming by reason of location within the floodplain shall not be enlarged or expanded but may be altered, or repaired as set forth in subsection (b) above, or as may be expressly authorized by the board of appeals in order to incorporate floodproofing measures provided that such alteration will not increase the level of the 100-year flood or extend the normal life of such nonconforming building or structure.

(iii) Special provisions governing reconstruction of buildings or structures located within the floodway portion of FP floodplain districts. Within any designated floodway, any building or structure in existence prior to the effective date of this ordinance that is hereafter destroyed or substantially damaged by any means may be reconstructed and used as before only if the following requirements are met.

(A) The reconstruction does not exceed the volume and external dimensions of the original structure or does not offer any greater obstruction to the flow of floodwaters than did the original structure.

(B) Non-residential structures may be reconstructed only if the lowest floor (including basement) elevation is at least one foot (1') above the level of the

100-year flood or the structure is floodproofed to a height of at least one foot (1') above the level of the 100-year flood.

(C) Residential structures may be reconstructed only if the lowest floor (including basement) of the structure is elevated to a point at least one foot (1') above the level of the 100-year flood.

(D) The level of the 100-year flood shall not be increased above that shown.

(2) Noncomplying buildings or other structures. The provisions of this section shall control buildings and other structures, including signs, which do not meet the bulk or any other provisions applicable in the districts in which they are located except those provisions which pertain to activity or use.

(a) Continuation of use. The use of a noncomplying building or other structure or parcel may be continued, except as otherwise provided by this section.

(b) Repairs and alterations. Repairs, incidental alterations, or structural alterations may be made in noncomplying buildings or other structures subject to the provisions contained herein.

(c) Enlargements or conversions. A noncomplying building or other structure may be enlarged or converted, provided that no enlargement or conversion may be made which would either create a new noncompliance or increase the degree of noncompliance of a building or other structure or parcel of any portion thereof.

(d) Damage or destruction. In all districts, when a noncomplying building or other structure is damaged by any involuntary means to the extent of fifty percent (50%) or more of its total floor area, such building or other structure may be reconstructed only in accordance with the applicable bulk regulations and other provisions of this ordinance. Provided however, that any residential development which was approved and completed with valid certificates of occupancy having been issued prior to the adoption of Ordinance No. 99-589 under provisions then in effect may be permitted to reconstruct the same number of buildings and dwelling units that existed prior to the damage or destruction.

(3) Noncomplying lots of record. A noncomplying lot of record may be used for building purposes provided that a variance for the noncompliance may be granted by the board of appeals. Such variance shall be the minimum variance required to provide for use of the lot. (Ord. #06-674, June 2006)

**14-213. Administration and enforcement.** (1) Organization and purpose. The administration and enforcement of this ordinance is hereby vested in the following offices of the government of the City of Goodlettsville:

- (a) The office of the codes administrator
- (b) The office of the planning director

(c) The board of zoning appeals.

It is the purpose of this chapter to set out the authority of each of these offices and then describe the procedures and substantive standards with respect to the following administrative functions:

- (a) Issuance of permits
- (b) Issuance of use and occupancy permits
- (c) Performance standards
- (d) Variances
- (e) Conditional use permits
- (f) Amendments.

(2) Duties of the codes administrator. The codes administrator shall enforce the terms of this ordinance and in addition thereto and in furtherance of said authority he shall:

- (a) Issue all zoning permits, and make and maintain records thereof;
- (b) Issue all use and occupancy permits, and make and maintain all records thereof;
- (c) Conduct inspections of buildings, structures, and use of land to determine compliance with the provisions of this ordinance;
- (d) Provide information to the public on provisions of this ordinance as requested.

(3) Duties of the planning director. The planning director shall:

- (a) Maintain permanent and current records of this ordinance, and subsequent amendments, including, but not limited to, all maps, amendments, conditional uses, variations, appeals and applications therefore;
- (b) Initiate, direct and review, from time to time, a study of the provisions of this ordinance, and make reports of the recommendations to the Goodlettsville Municipal/Regional Planning Commission.
- (c) Analyze and report on all requests for amendments to the Goodlettsville Municipal/Regional Planning Commission and City Commission;
- (d) Make analyses and recommendations to the board of appeals on all requests for variances and conditional use permits; and
- (e) Receive, file and forward to all necessary agencies all applications for conditional uses;
- (f) Receive, file and forward to the board of zoning appeals all applications for variances or other matters, on which the board is required to pass under the provisions of this ordinance;

(4) Powers of the codes administrator regarding the issuance of permits. The codes administrator shall have the power to grant zoning permits and use and occupancy permits, and make inspections of buildings or premises necessary to carry out his duties in the enforcement of this ordinance. It shall be unlawful for the codes administrator to approve any plan or issue any

permits as certificates of occupancy for any excavation or construction until he has inspected such plans in detail and found them to conform to this ordinance.

Under no circumstances is the codes administrator permitted to make changes in this ordinance nor to vary its terms and provisions in carrying out his duties.

The codes administrator shall not refuse to issue a permit when conditions imposed by this ordinance are complied with by the applicant despite the violations of contracts such as covenants or private agreements which may occur upon the granting of said permit.

(5) Powers of the codes administrator to enforce performance standards. The codes administrator shall enforce performance standards in accordance with the procedure set forth below.

(a) Procedure. Before issuing a zoning permit for a use in any commercial or industrial district, the codes administrator shall be given information by the applicant as needed sufficient to insure that all performance standards and site development standards set forth in this ordinance can and will be complied with at all times.

The codes administrator, in order to determine whether or not the applicant will meet such standards, may require the submission of all information and evidence submitted in applications to indicate conformity with the performance standards set forth herein, which shall constitute a certification and an agreement on the part of the applicant that the proposed use can and will conform to such standards at all times.

Where in the opinion of the codes administrator or other designated inspector there is a probable violation of any provision of this ordinance, he is empowered to have a qualified technician perform such investigations, measurements, and analysis as may be necessary to determine whether or not there is in fact a violation of this ordinance. Upon confirmation of a violation, the offending industry or activity shall bear the cost incurred by the city in retaining the qualified technician.

(b) Power to make measurement of manufacturing or other uses in districts where performance standards apply. Notwithstanding the foregoing provisions, in any district where performance standards apply, the codes administrator may cause to have made, within available appropriations therefore, scientific tests of any use to determine its performance characteristics, whether or not a violation exists.

(c) Right of entry upon land. The codes administrator or persons engaged by him to perform tests or any other duties may enter upon any land within the jurisdiction of the city for the purpose of performing tests, making examinations, or surveys, and placing or removing public notices as may be required by this ordinance.

(d) Conflict with state or federal enforcement. Where any of the performance standards contained herein are enforced by appropriate state or federal authorities, the codes administrator shall be exempted

from such enforcement. However, this shall not be construed as preventing the city from adopting and enforcing stricter standards than federal or state if the city so desires.

(6) Zoning permits and use and occupancy permits. (a) Zoning permits required. No building or other structure shall be erected, moved, added to or structurally altered without a zoning permit issued by the codes administrator.

Prior to the issuance of any zoning permit for any building except single and two-family dwellings, a letter of credit, bond or cash deposit shall be posted to cover the cost of installing all landscape materials. Said bond, letter of credit or cash deposit shall be released upon completion of the improvements, final inspection and issuance of the use and occupancy permit.

Except as hereinafter provided, no permit pertaining to the use of land or buildings shall be issued by any office, department, or employee of the city unless the application for such permit has been examined by the codes administrator indicating that the proposed building or structure complies with all the provisions of this ordinance. Any zoning permit or use and occupancy permit issued in conflict with the provisions of this ordinance shall be null and void.

(b) Site plan required for zoning permits. All applications for zoning permits shall be accompanied by a site plan meeting the requirements specified in § 14-208(4).

(c) Use and occupancy permit required. No building or addition thereto, constructed after the effective date of this ordinance, and no addition to a previously existing building shall be occupied, and no land shall be used for any purpose, until a use and occupancy permit has been issued by the office of the codes administrator. No change in a use other than that of a permitted use shall be made until a use and occupancy permit has been issued by the codes administrator.

(d) Application for use and occupancy permit. Every application for a zoning permit shall be deemed to be an application for a use and occupancy permit. Every application for a use and occupancy permit for a new use of land where no zoning permit is required shall be made directly to the office of the codes administrator.

(e) Issuance of use and occupancy permit. The following shall apply in the issuance of any use an occupancy permit.

(i) Permits not to be issued. No use and occupancy permit shall be issued for any building, structure or part thereof, or for the use of any land, which is not in accordance with the provisions of this ordinance.

(ii) Permits for new use of land. No land heretofore vacant shall hereafter be used or an existing use of land be hereafter changed to a use or activity of a different class or type,

unless a use and occupancy permit is first obtained for the new or different use.

(iii) Uses and occupancy permits for existing buildings. Use and occupancy permits may be issued for existing buildings, structures or parts thereof, or existing uses of land, if, after inspection, it is found that such buildings, structures or parts thereof, or such use of land, are in conformity with the provisions of this ordinance.

(iv) Temporary use and occupancy permits. Nothing in this ordinance shall prevent the issuance of a temporary use and occupancy permit for a portion of a building or structure in process of erection or alternation, provided that such temporary permit shall not be effective for a time period in excess of six (6) months, and provided further that such portion of the building, structure, or premises is in conformity with the provisions of this ordinance.

(v) Permits for dwelling accessory buildings. Buildings accessory to dwellings shall not require separate use and occupancy permits but may be included in the use and occupancy permits for the dwelling when shown on the plot plan and when completed at the same time as such dwelling.

(f) Final inspection. No use and occupancy permit for a building, structure or an addition thereto, constructed after the effective date of this amendment, shall be issued until construction of the building and on-site improvements have been completed and inspected by codes administrator, planning director and director of public works as appropriate.

Additionally, the licensed professional that prepared the plan shall certify to the planning director that the final construction including all site improvements is in conformity with the plans and specifications which were approved and upon which the zoning permit was based.

(7) The board of zoning appeals.<sup>1</sup> (a) Creation of board of zoning appeals. The board of zoning appeals as created by Ordinance No. 61-26 and amended by Ordinance No. 77-225 shall continue in effect as appointed.

(b) Vacancies and removal. Vacancies of said board shall be filled for the unexpired term of those members whose position has become vacant by appointment of the mayor with confirmation by the city commission. A member may be removed from such board for continued absences or just cause by action of the mayor and city commission and after proper hearing.

---

<sup>1</sup>The board of zoning appeals shall also serve as the board of construction appeals.

(c) Advisory opinions. The Goodlettsville Municipal/Regional Planning Department and/or the planning director may submit an advisory opinion to the board on any matter which may come before said board. Such opinion shall be made a part of the official record of the board.

(d) Powers of the board. The board is hereby vested with the powers to:

(i) Hear and decide appeals from any order, requirement, decision, or determination made by the codes administrator in carrying out the enforcement of this ordinance, whereby it is alleged in writing that the codes administrator is in error or has acted in an arbitrary manner;

(ii) Hear and act upon application for variances in accordance with § 14-213(8) of this chapter to alleviate hardships by virtue of the inability of the landowner to comply strictly with the provisions of this ordinance by reasons of unique shape, topography, or physical features of the zone lot;

(iii) Hear and act upon applications for conditional use permits in the manner and subject to the standards set out in § 14-213(9) of this chapter;

(iv) Hear and decide all matters referred to it on which it is required to act under this ordinance;

(e) Election of officers. The board shall elect from its members its own chairman, vice-chairman, who shall serve for one year and may upon election serve succeeding terms.

The board shall elect a secretary who may be a member or such other person from city staff as the board and city manager shall approve. It shall be the duty of the secretary to keep all records, conduct official correspondence, and supervise the clerical work of the board. The city manager may provide such other assistance as is necessary.

(f) Conflict of interest. Any member of the board who shall have direct or an indirect interest in any property which is the subject matter of or affected by, a decision of the board shall be disqualified from participating in the discussion, decision, and proceedings of the board in connection therewith. The burden for revealing any such conflict rests with individual members of the board. Failure to reveal any such conflict shall constitute grounds for immediate removal from the board for cause.

(g) Meetings of the board. Meetings shall be held at the call of the chairman and at such other times as the board may determine. The chairman, or in his absence the vice-chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public and proper public notice of such meetings shall be given.

(h) Rules and proceedings of the board. The board shall adopt rules for the conduct of its meetings. Such rules shall at the minimum require that:

(i) The presence of three (3) members of the board shall constitute a quorum. The concurring vote of at least three (3) members shall be necessary to deny or grant any application before the board;

(ii) No action shall be taken by the board 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 at least ten (10) days before the date set for a public hearing and written notice to the applicant and to directly affected property owners at least five (5) days prior to the meeting at which the action is to be heard. No appeal shall be considered and heard by the board unless such appeal shall have been filed at least fifteen (15) days prior to the meeting at which it is to be heard;

(iii) The board 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 as may be reasonably required;

(iv) Any officer, agency, or department of the city or other aggrieved party may appeal any decision of the board to a court of competent jurisdiction as provided for by state law;

(v) In any decision made by the board on a variance the board shall:

(A) Indicate the specific section of this ordinance under which the variance is being considered, and shall state its findings beyond such generalities as "in the interest of public health, safety and general welfare."

(B) In cases pertaining to hardship, specifically identify the hardship warranting such action by the board.

(C) Any decision made by the board on a conditional use permit shall indicate the specific section of this ordinance under which the permit is being considered and shall state its findings beyond such generalities as "in the interest of public health, safety and general welfare," and shall state clearly the specific conditions imposed in granting such permit.

(D) Appeals will be assigned for hearing in the order in which they appear on the calendar thereof, except that appeals may be advanced for hearing by order of the board, good and sufficient cause being shown.

(E) At the public hearing of the case before the board, the appellant shall appear in his own behalf or be

represented by counsel or agent. The appellant's side of the case shall be heard first and those in objection shall follow. To maintain orderly procedure, each side shall proceed without interruption from the other.

(vi) Rehearings may be granted by a majority vote of the board when it is alleged that there was error or mistake in the original facts or upon introduction of new information not available at the original hearing. A vote of the board shall not be reversed on the same set of facts.

(i) Stay of proceedings. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the codes administrator certifies to the board, after such notice of appeal shall have 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, which may be granted by the board or by a court of competent jurisdiction on application, on notice to the codes administrator, and on due cause shown.

(j) Liability of board members, codes administrator and employees. Any board member, codes administrator, or other employee charged with the enforcement of this ordinance, acting for the city in the discharge of his duties, shall not thereby render himself liable personally, and he is hereby relieved from all personal liability and shall be held harmless by the city of any damage that may accrue to persons or property as the result of any act required or permitted in the proper discharge of their duties. Any suit brought against any board member, codes administrator or employee charged with the enforcement of any provision of this ordinance shall be defended by legal representative furnished by the city until the final termination of such proceedings.

(k) Right to entry upon land. The board, its members, and employees, in the performance of its work, may enter upon any land within its jurisdiction and make examinations and surveys and place or remove public notices as required by this ordinance.

(l) Fee. Any application for a hearing before the board shall be accompanied by a nonrefundable fee of two hundred dollars (\$200.00) to partially defray the cost of processing. Said fee shall be waived for a government agency.

(8) Zoning variances. The board of zoning appeals may grant variances where it makes findings of fact based upon the standards prescribed in this section.

(a) Application for variances, notice of hearing, fee. A written application for a variance shall be filed with the board by the property owner or his designated agent on forms provided by the board or by letter, and the application shall contain information and exhibits as may be

required under § 14-213(6)(b) of this chapter. No more than sixty (60) days after the filing of the application, a hearing shall be held on the application, unless otherwise withdrawn or postponed by written request by the applicant. Notice of hearing shall be in accordance with § 14-213(7)(h)(ii) of this chapter.

(b) Notice to affected property owners. It shall be the general rule of the board that reasonable efforts shall be made to contact and notify interested parties, who in the opinion of the board, may be affected by any matter brought before the board. In all cases all owners of record of adjoining property, including those separated by a public way from the premises in question shall be notified.

(c) Standards for variances. The board shall not grant a variance unless it makes findings based upon evidence presented to it as follows:

(i) The particular physical surroundings, shape, topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this ordinance were carried out must be stated;

(ii) The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district;

(iii) The variance will not authorize activities in a zone district other than those permitted by this ordinance;

(iv) Financial returns only shall not be considered as a basis for granting a variance;

(v) The alleged difficulty or hardship has not been created by any person having an interest in the property after the effective date of this ordinance;

(vi) That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same districts;

(vii) The variance is the minimum variance that will make possible the reasonable use of the land, building, or structure;

(viii) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which the property is located; and

(ix) The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.

(d) Non-conformity does not constitute grounds for granting of a variance. No non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

(e) Prohibition of use variances. Under no circumstances shall the board of appeals grant a variance to allow a use not permissible under the terms of this ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this ordinance in said district.

(f) Conditions and restrictions by the board. The board may impose such conditions and restrictions upon the premises benefitted by a variance as may be necessary to comply with the provisions set out in § 14-213(8)(c) above to reduce or minimize the injurious effect to such variation upon surrounding property and better carry out the general intent of this ordinance. The board may establish expiration dates as a condition or as a part of the variances.

(g) Board has powers of administrative official on appeals; reversing decision of administrative official. In exercising its powers, the board of appeals may, so long as such action is in conformity with the terms of this ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as ought to be made, and to that end shall have the powers of the administrative official from whom the appeal is taken.

(h) Variance appeals. Any person including any agency of the city government aggrieved by a decision of the board on a variance may appeal by certiorari to a court of competent jurisdiction. The judgment and findings of the board on all questions of fact that may be involved in any appeal, cause, hearing or proceeding under this chapter shall be final and subject to review only for illegality or want of jurisdiction.

(9) Conditional use permits. (a) Conditional uses. The board of appeals may hear and decide, in accordance with the provisions of this ordinance, requests for conditional use permits. For the purposes of administration of this ordinance, conditional uses shall be construed as synonymous with special exceptions, as controlled by Tennessee Code Annotated, § 13-7-207.

(b) Application for conditional use permit, notice of public hearing. The application for a conditional use permit shall be made by the property owner or his designated agent and filed in writing with the board and shall contain information and exhibits as may be required under section § 14-213(6)(b) of this chapter or in the case of buildings or other structures or uses to be located within floodplain districts, as may be required by § 14-209. Not more than sixty (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. Notice of hearing shall be held in accordance with § 14-213(7)(h)(ii) of this chapter.

(c) Requirements for conditional use permit. General requirements are hereby established which shall apply to all applications for conditional use permits, and specific standards listed shall apply to the issuance of a conditional use permit as appropriate. The board may impose such other conditions and restrictions upon the premises benefitted by a conditional use permit as may be necessary to comply with the provisions set out hereafter in this section in order to reduce or minimize the injurious effect of such conditional use upon and ensure compatibility with surrounding property and to better carry out the general intent of this ordinance. The board may establish expiration dates for the expiration of any conditional use permit as a condition of approval. A permit may not be transferred to another owner or type of use without a rehearing before the board.

(d) General requirements. A conditional use permit shall only be granted provided the board makes specific findings that it:

(i) Is so designed, located, and proposed to be operated so that the public health, safety and welfare will be protected;

(ii) Will not adversely affect other property in the area in which it is located;

(iii) Is within the provisions of "conditional uses" as set forth in this ordinance; and

(iv) Conforms to all applicable provisions of this ordinance for the district in which it is to be located and is necessary for public convenience in that location and meets the specific standards below.

(e) Specific standards for community facility activities. In addition to the requirements of the applicable district and the general requirements set forth above, a conditional use permit shall be granted for the community facility activities specified below only when the standards established are met as part of the condition for issuing the permit in the applicable zone districts.

(i) Special conditions for administrative services.

(A) There must be a demonstrated need for such activities to serve the neighborhood or the total community.

(B) All lot, yard, and bulk regulations of the zone district shall apply.

(C) Appropriate off-street parking requirements shall apply.

(D) Fencing, screening, and landscaping shall be provided as appropriate to protect surrounding properties and reduce any potential adverse impact.

(E) The site and architectural plans shall be approved by the Goodlettsville Municipal/Regional Planning Commission.

(ii) Special conditions for personal and group care facilities (day care). For purposes of this ordinance, day care facilities are classified into two (2) types as defined below:

(A) Day care home - include day care in an occupied residence of not more than eight (8) children including children living in the home.

(B) Day care center - includes day care for more than eight (8) pre-teenage children in any kind of building.

(1) Day care home.

(i) The required lot size, yard, and bulk regulations of the district shall apply. No variances shall be permitted for lots on which such use is to be located.

(ii) All public utilities and sanitary sewers shall be available and connected to the site unless the site is over one (1) acre in size and sewer is not available. The fire department shall approve the facility for safety.

(iii) All requirements of the State of Tennessee that pertain to the use shall be met.

(iv) An outdoor play area of at least two hundred (200) square feet per child in size shall be available and shall be fenced.

(v) The facility shall be located so as to be compatible with the surrounding area and provide safety to those using the facility.

(vi) Fencing, screening, and landscaping shall be provided as appropriate to protect the surrounding area.

(vii) A site plan shall be submitted in conjunction with the application for a conditional use permit.

(2) Day care center.

(i) No such facility shall be permitted on a zone lot in a residential district unless such lot contains twice the lot area requirements of the district.

(ii) No such facility shall be located on a minor residential street. Locations shall be limited to collector or arterial streets

specified on the official major thoroughfare plan.

(iii) In commercial districts the side and rear yard requirements of the adjoining residential district, which has the highest standards shall apply.

(iv) A fenced outdoor play area shall be provided of at least two hundred (200) square feet per child or two thousand (2,000) square feet whichever is greater.

(v) All bulk and space regulations of the district shall be met.

(vi) Special passenger loading and unloading facilities shall be provided on the same zone lot for vehicles to pick-up or deliver children. Such facilities shall provide for driveways that do not require any back-up vehicle movements to enter or exit the zone lot.

(vii) All public utilities and sanitary sewers shall be available at the site and connected.

(viii) All regulations of the State of Tennessee that pertain to the use shall be met.

(ix) The facility shall be located so as to be compatible with the surrounding area and provide safety to those using such facilities.

(x) Fencing, screening, and landscaping shall be provided as appropriate to protect the surrounding area as well as the facility.

(xi) A site plan shall be submitted in conjunction with the application for a conditional use permit.

(iii) Special conditions for all other personal and group care activities.

(A) No such facility shall be permitted on a zone lot unless it contains a minimum of ten thousand (10,000) square feet, or twice the lot area requirements of the zone district whichever is greater.

(B) All bulk regulations of the district shall be met.

(C) The requirements of the accessory off-street parking regulations of this ordinance shall apply.

(D) All regulations of the State of Tennessee shall be met.

(E) All public utilities and sewage disposal shall be available and connected to the site, and the site and architectural plans for such a facility shall be approved by the Goodlettsville Municipal/Regional Planning Commission taking into account the above conditions as well as any other pertinent factors.

(iv) Special conditions for community assembly.

(A) No such facility shall be permitted on a zone lot unless it contains twice the lot area requirements of the districts; provided, however, that if such community assembly includes outdoor activities the minimum lot area shall be four (4) acres.

(B) All bulk regulations of the zone district shall apply.

(C) Off-street parking:

(1) For non-profit clubs, lodges, meeting halls and recreation centers, one (1) space for each four (4) seats in an assembly area within the facility, or one (1) space for each seventy-five (75) square feet of gross floor area, whichever is greater, shall be provided.

(2) For temporary non-profit festivals, the required number of off-street parking spaces shall be determined by the board, taking into account the traffic generation of such facility, the hours of other such factors as affect the need for off-street parking.

(D) Except for temporary non-profit festivals, fencing, screening and landscaping shall be provided as appropriate for such facility, except that no landscaped screen shall be located closer than fifteen feet (15') of any vehicular entrance or exit to the property.

(E) The location and operation of such community assembly facility shall be in keeping with the character of the surrounding area and shall not adversely affect the properties within the surrounding area.

(F) All public utilities and sewage disposal shall be available to the site and connected.

(G) Except for temporary non-profit festivals, the site and/or architectural plans shall be approved by the Goodlettsville Municipal/Regional Planning Commission taking into account the above conditions.

(v) Special conditions for cultural and recreational services.

(A) No such activity shall be permitted on a zone lot unless it contains twice the lot area requirements of the zone district.

(B) All bulk regulations of the zone district shall apply.

(C) The off-street parking requirements of this ordinance shall apply.

(D) Fencing, screening, landscaping shall be provided as appropriate to protect the surrounding area and shall not have an adverse affect on properties within the surrounding area.

(E) The location and operation of such facility shall be in keeping with the character of the surrounding area and shall not have an adverse affect the properties within the surrounding area.

(F) The site and architectural plans shall be approved by the Goodlettsville Municipal/Regional Planning Commission taking into account the above conditions.

(vi) Special conditions for community education.

(A) No such facility shall be permitted on a zone lot unless such lot contains the lot acreage recommended for such facilities by the appropriate state agency.

(B) The traffic generated by such facility shall be safely accommodated along the streets which will provide access to the site.

(C) The location and design of such facilities shall not have an adverse effect upon surrounding properties.

(D) The off-street parking requirements of this ordinance shall apply.

(vii) Special conditions for essential services. When an application for an essential service includes an electrical or gas substation, a sewer or water pump station or a water storage tank, the following conditions shall apply:

(A) All such facilities shall have a minimum fifty feet (50') setback line from any public street or residential lot line.

(B) Buffer yard 2 shall be provided around the perimeter of the site on which the facility is proposed to be located.

(viii) Special conditions for health care.

(A) Minimum lot area.

(1) No health clinic shall be permitted on a zone lot unless it contains ten thousand (10,000) square feet, or twice the lot area requirements of the district, whichever is greater.

(2) No hospitals, or centers for observation or rehabilitation shall be permitted on a zone lot unless it contains a minimum of five (5) acres.

(B) Hospitals, centers for observation or rehabilitation. The minimum side and rear yards for hospitals and centers for observation or rehabilitation shall be fifty feet (50') for a one (1) or two (2) story building, increased by five feet (5') for each story above two (2).

(C) All other regulations of the zone district shall apply.

(D) There shall be provided along the entire site boundaries fencing, screening, and landscaping as appropriate to protect the surrounding residential area.

(E) 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 the properties within the surrounding area.

(F) All public utilities and sewage disposal shall be available to the site and connected.

(G) The site and/or architectural plans shall be approved by the Goodlettsville Municipal/Regional Planning Commission taking into account the above conditions.

(H) The following activity classes and types may be permitted accessory to the health care activities provided they appropriately complement the health care activity, will not impose an adverse impact on the surrounding land use, and be subject to all other provisions of the zoning district:

- (1) Community facility activities
- (2) Commercial activities
- (3) Convenience sales and services
- (4) Automotive parking
- (5) Food service
- (6) Medical service.

(ix) Special conditions for intermediate and extensive impact.

(A) The location, size, and design of such facilities shall be such that the proposed development shall be as compatible as possible with the development within the surrounding area, thus reducing the impact upon the surrounding area.

(B) The traffic generated by such facility shall be safely accommodated along major streets without traversing local minor streets.

(C) The proposed facility shall provide a basic community function or essential service necessary for a convenient and functional living environment in order to be located on the proposed site.

(D) The off-street parking requirements shall be determined by the board taking into account characteristics of the use.

(E) The site plan for such facilities shall be approved by the Goodlettsville Municipal/Regional Planning Commission taking into account the above conditions as well as any other pertinent factors related to the use and operation of such facility.

(x) Special conditions for religious facilities in residential districts.

(A) No such facility shall be permitted on a zone lot unless it contains a minimum of five (5) acres.

(B) The location, size, and design of such facilities shall be situated so that the proposed facility shall be compatible with the development within the surrounding area thus reducing the impact upon such area.

(C) Such facilities shall be located only on major or collector streets as shown on the official major thoroughfare plan.

(D) All bulk regulations of the district shall be met.

(E) The off-street parking requirements of this ordinance shall apply.

(xi) Special conditions for religious facilities in commercial and industrial districts

(A) All bulk, parking and landscaping regulations of the district shall be met.

(B) Traffic from such facilities shall be directed so as to avoid residential streets.

(C) Uses on adjoining properties shall be considered in determining if a particular site is appropriate for such use.

(xii) Commercial community garden facilities: Conditional use requests for commercial community gardening facilities shall include the following items to ensure a limited community scale and determine compatibility and to reduce the negative effects of the use:

(A) Location: The board shall consider proposed traffic generation and scale of the garden to determine compatibility with adjacent commercial zoning district and the facility may be a primary or accessory use.

(B) Property: The board shall consider the scale of the garden but to ensure a limited scale facility, the maximum area of the community garden facility, not including off-street parking facilities shall not exceed one (1) acre, larger sections of property may be reviewed only if the scale of the facility is compatible with the adjacent commercial district.

(C) Landscape buffer yard. The board shall have the authority to require landscape buffering for properties abutting a residentially zoned property.

(D) On-site storage and use of compost and organic matter. All compost and/or organic matter on the site:

(1) Shall not cover more than ten percent (10%) of the total area of the property;

(2) Compost piles abutting adjacent properties must not be visible from adjacent property (shielded from view by shrubbery or an enclosure).

(3) Shall be managed to prevent the harborage of rodents and pests.

(4) Shall be maintained to prevent odors.

(5) Shall be located to prevent leachate (the water that has come in contact with the compost) from flowing onto adjacent property or into natural or human-made channels.

(E) Drainage. The site shall be designed and maintained to prevent water from irrigation and/or other activities and/or fertilizer from draining onto adjacent property. The board shall also review potential impacts onto adjacent storm water facilities.

(F) Refuse storage and disposal. Trash areas shall be provided and screened on at least three (3) sides from public view by an opaque impact-resistant fence of sufficient height to screen the dumpster(s).

(G) Parking. Off-street parking areas shall be provided meeting the requirements of the zoning ordinance but the board may permit temporary parking facilities.

(H) Maintenance. Plan to be provided to detail maintenance schedule during and after growing seasons.

(f) Specific standards for commercial activities. A conditional use permit shall not be granted for the commercial activities specified below unless the standards established therein are met as a part of the conditions for issuing such permit in the applicable districts. Prior to the appeals board review, the planning commission shall first review the request and submit an advisory opinion regarding compliance with the conditional use provisions listed above.

(i) Special conditions for consumer repair.

(A) The operation of any such repair or servicing activity shall be done within completely enclosed buildings, and no outside storage shall be permitted.

(B) The operation of the activity shall not include the storage or use of flammable, explosive, or toxic materials or liquids.

(ii) Special conditions for entertainment and amusement services.

(A) When entertainment and amusement services are proposed to be located in the CSL and OP districts, the following types of activities shall be excluded:

(i) Batting and golf driving ranges.

(iii) Special conditions for mini-warehouses. Mini-warehouse, as defined, may be included as a general personal service subject to the following standards:

(A) The location, size, and design of such facility shall be compatible with development in the surrounding area;

(B) There shall be provided along the entire site boundaries fencing, screening, and landscaping in accordance with § 14-208(4);

(C) The use of buildings in which the exterior facade is of one hundred percent (100%) metal construction shall be prohibited with the buildings, which face a street having a minimum of fifty percent (50%) brick or stone;

(D) All parking areas and driveways shall be paved;

(E) All buildings shall be separated by a minimum of twenty feet (20');

(F) The setback for such activities shall be a minimum of sixty-five feet (65');

(G) An apartment on site may be permitted for security purposes;

(H) The maximum size of an individual storage unit shall be five hundred (500) square feet;

(I) The facilities shall be designed to prohibit the use by and generation of heavy or semi-truck vehicles.

(iv) Special conditions for group assembly activities.

(A) The location, 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.

(B) The traffic generated by such facility shall be safely accommodated along major streets without traversing local minor streets.

(C) The off-street parking requirements shall be based on the type of use and the needs of the use to adequately accommodate the expected groups of people.

(D) The site plan for such facilities shall be approved by the Goodlettsville Municipal/Regional Planning Commission taking into account the above conditions as well as any other pertinent factors related to the use and operation of such facilities.

When an application for a group assembly permit includes amusement parks, sports arenas, fairgrounds, racetracks, and similar recreational pursuits, the following requirements shall be observed:

(1) The minimum size site shall be twenty-five (25) acres;

(2) The minimum setback of all structures from all public roads shall be one hundred feet (100');

(3) Such facility shall be situated so that no residential use is located closer than five hundred feet (500') from building entrance of the principal use at the time of approval;

(4) Access to such facility shall be by a paved public road and such road shall be either a major arterial or major collector. Traffic shall not be directed through residential subdivisions or on minor residential streets;

(5) Off-street parking shall be provided at a minimum of one (1) space for each four (4) patrons or seats. For those facilities which are not utilized on a regular and frequent basis, parking may be provided on adjacent parcels of land provided further that any parcel so used is located no more than five hundred feet (500') from the lot boundary;

(6) Any lighting provided at such facilities shall be designed so that no direct light falls on adjacent residential property;

(7) 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, gift or souvenir shops, and similar activities;

(8) Accessory structures may be permitted which are incidental and sub-ordinate to the principal structure. Such structures may not be located within any required setback or buffer area.

(v) When an application for a group assembly permit includes a private campground, the following standards shall be met:

(A) Such campground shall have on-site management;

(B) The campground may include convenience commercial establishments such as camp stores, laundry facilities, and personal services; provided that such convenience establishments are subordinate to the recreational character of the campground; are located, designed, and intended to serve exclusively the patrons staying in the campground; and such establishments and their parking areas shall not occupy more than ten percent (10%) of the area of the park or one (1) acre whichever is smaller;

(C) Such campground shall meet the following standards:

(1) Minimum size - ten (10) acres

(2) Maximum density - ten (10) campsites per gross acre

(3) Sanitary facilities, including flush toilets and showers - within three hundred feet (300') walking distance of each campsite

(4) Portable water supply - one (1) spigot for each four (4) campsites

(5) Trash receptacle - one (1) for each two (2) campsites

(6) Parking - one (1) space per campsite

(7) Picnic table - one (1) per campsite

(8) Fireplace or grill - one (1) per campsite

(9) Administration or safety building - open at all times wherein a portable fire extinguisher in operable condition and first aid kit is available, and a telephone is available for public use.

(D) Such campground shall meet the following design requirements:

(1) A vegetation screen or ornamental fence which will substantially screen the campsites from view of public rights-of-way and neighboring properties shall be provided around or near the perimeter or that part of the campground containing campsites. Such vegetation or fence shall be maintained in good condition at all times.

(2) Each campground shall reserve at least twenty-five percent (25%) of its total area as natural open space excluding perimeter screening. Such open space may include recreation and water areas, but may not include utility areas, administration buildings, commercial areas or similar activities.

(3) Each campsite shall have a minimum setback of twenty-five feet (25') from any exterior boundary line.

(4) Each campsite and all other buildings shall have a minimum setback from any public road of fifty feet (50').

(5) Each separate campsite shall contain a minimum of three thousand two hundred (3,200) square feet. (A campsite shall be considered to consist of trailer or tent space, parking space, picnic table, fireplace, and one-half (1/2) the road-way providing access.)

(6) Each campsite shall be directly accessible by an interior road.

(7) All interior roads shall be a minimum of ten feet (10') wide for one way traffic and eighteen feet (18') wide for two way traffic.

(8) All interior roads shall meet the following curve requirements:

Minimum radius for a 90 degrees turn - 40 feet

Minimum radius for a 60 degrees turn - 50 feet

Minimum radius for a 45 degrees turn - 68 feet

(9) No camping vehicle or camping equipment shall be used for human habitation for a period exceeding thirty (30) consecutive days.

(10) Each campground shall provide a trailer dump station for the disposal of holding tank sewage.

(vi) Special conditions for extended stay hotels or motels.

An extended stay hotel or motel shall comply with the following conditions:

(A) Such facility shall not exceed three (3) stories in height and shall have no more than twenty (20) rooms for each acre of land.

(B) Such facility shall include a twenty-four (24) hour daily attendant at the front desk.

(C) Each room must have daily housekeeping service.

(D) Guest rooms shall be limited to two (2) persons per room.

(E) Each guest room shall have a minimum of three hundred twenty-five (325) square feet per room.

(F) The maximum length of stay per guest room shall be one (1) month.

(vi) Special conditions for tourist oriented limited manufacturing activities. Tourist oriented limited manufacturing activities: The use would include limited alcohol and beverage manufacturing, food products, clothes, furniture, furnishings, and similar uses that include on-site retail sales and services associated with a tourist oriented business. The intention is for a limited scale facility to reduce impacts onto adjacent non-industrial zoned properties. The following specific conditional uses standards are to be reviewed with all conditional use requests:

(A) Applicant to provide documentation of business process including a preliminary site sketch with application including buildings and site improvements proposed including interior building layout, storage areas, and any specific traffic needs regarding shipping, delivery, and tour buses to determine impacts on adjacent properties.

(B) Applicant to provide list of the city's building and fire code requirements for the board to determine the level of fire risk associated with the business to determine any impacts onto adjacent properties.

(C) Applicant to provide information regarding the manufacturing process to determine any odor, dust, vapor, and noise associated with the process that would create a nuisance or negative impact onto adjacent non-industrial zoning districts to determine use compatibility with

adjacent uses and compliance with the performance standards of the zoning ordinance.

(D) The use shall include a minimum twenty-five percent (25%) on-site retail customer sales and service area to meet the intention of a tourist oriented use. The board may review variations due to unique site, building, or business conditions.

(E) The use shall not exceed a total building area of ten thousand (10,000) square feet to meet intention for a limited scale use. The board may review variations due variations due to unique site, building, or business conditions. The manufacturing process shall take place indoors.

Applicant is required to obtain all additional required local and state permits and licenses

(g) Specific standards for agricultural and extractive activities. A conditional use permit shall not be granted for the agricultural and extractive activity specified below unless the standards established therein are met as a part of the conditions for issuing such permit in the applicable zone districts.

(i) Special conditions for crop and animal raising.

(A) This shall apply to the keeping of farm animals only, provided however, that hog pens and game roosters and/or fighting roosters shall be prohibited.

(B) Minimum lot size shall be five (5) acres for keeping, raising, or grazing horses, cattle, goats, sheep, or chickens.

(C) This shall not be construed to include any kind of feed lot operation.

(ii) Special conditions for plant and forest nurseries.

(A) The minimum lot size shall be twice the district requirement.

(B) Any buildings shall be appropriately screened from adjoining residential property.

(C) Off-street parking shall be provided adequate for the size of the operation.

(D) Complete plans for the facility including a site plan shall be approved by the Goodlettsville Municipal/Regional Planning Commission.

(h) Specific standards for residential activities. A conditional use permit shall not be granted for the residential activities specified below unless the standards established therein are met as a part of the conditions for issuing such permit in the applicable zone districts.

(i) Special conditions for semi-permanent residential.

(A) The lot size shall be twice the district requirements, and the minimum development area per unit shall be five thousand (5,000) square feet.

(B) Off-street parking shall be provided in the amount of one (1) space for each rooming unit plus two (2) spaces for the use.

(C) Fencing, screening, and landscaping may be required to protect adjoining uses.

(D) All public utilities and public sewer service shall be available.

(E) The building shall be first approved for such use by the Goodlettsville Fire Department.

(F) The site plan for such activity shall be approved by the Goodlettsville Municipal/Regional Planning Commission.

(ii) Bed and breakfast homestay.

(A) A property proposed for a bed and breakfast homestay shall include public street frontage and shall either contain a minimum of five (5) acres or shall be located on property that contains a structure of historical significance. A historical significant structure is listed on the National Register of Historic Places, or is determined by the state historical commission to be eligible to be placed on the National Register of Historic Places, or is a structure that is within an area designated by the local governing body as a historical or conservation district;

(B) The owner of the property must reside permanently in the home. If there is more than one (1) owner, the owner with the largest share of the ownership shall reside permanently in the home. If two (2) or more owners own equal shares, at least one (1) of the owners shall reside permanently in the home.

(C) A maximum of one (1) off-street parking space shall be provided for each guest room. The design of the parking spaces and their number and location shall also take into account the owner's parking spaces. Fencing, screening and landscaping shall be required to buffer and protect adjoining properties. Large expanses of paved area shall be avoided. No more than two (2) such spaces shall be located in the front yard.

(D) A maximum of three (3) guest rooms shall be available for rent, and such rooms shall not occupy more than fifty percent (50%) of the total habitable floor area. A

guest register shall be maintained and made available to the codes administrator or other enforcing officer.

(E) Meal service shall be limited to breakfast and shall be restricted to overnight guests only. No cooking facilities shall be available in any guest room. Application shall be in compliance with county health department requirements and applicable inspections.

(F) No exterior structural or architectural alterations or expansions exceeding twenty percent (20%) of the building square footage including those necessary to ensure the safety of the building, shall be made to the building for the purpose of providing a bed and breakfast homestay.

(G) The maximum length of stay for any guest(s) shall be fourteen (14) consecutive days.

(H) The building shall comply with the city's adopted building and residential code standards and shall be inspected prior to occupancy by the codes administrator and the fire chief or other enforcement officials. In the event the home is a registered historic building the board may consider the varying the strict application of the code requirements as long as the safety of the guests is not compromised.

(I) One (1) incidental sign may be permitted in accordance with the Goodlettsville Sign Ordinance.

(J) Detached accessory guest building alternative bed and breakfast homestay use to meet the provisions of (ii) Bed and breakfast homestay items (A) through (I) but the application may also be reviewed through the conditional use process defined by the zoning ordinance including the following additional sections:

- Detached accessory building guest buildings shall only be permitted for properties five (5) acres or larger; and,
- Existing accessory residential dwellings unit buildings constructed prior to the effective date of this section (I) may be reviewed in current condition; and,
- Detached accessory building guest buildings shall only be permitted on the property of the primary single family dwelling unit; and,
- The total number three (3) guest units shall apply to the entire property and guest accessory buildings

shall not contain any kitchen or cooking facilities; and,

- The accessory guest buildings units shall be constructed per the requirements of the zoning ordinance accessory building requirements regarding location, maximum floor area ratio and lot coverage, maximum building height; and,
- The accessory guest buildings units shall be constructed to be consistent with the wall and roof materials of the primary single family dwelling unit; and
- The accessory quest buildings units shall be constructed to meet the minimum side and rear setbacks of the residential zoning district; and,
- The accessory buildings shall be permanent buildings meeting the requirements of the city's adopted building and residential code standards and shall not include any portable structures; and,
- The accessory guest buildings shall be connected to the primary single family. The connection shall be either a vehicular or pedestrian connections and the accessory quest buildings shall be accessible for emergency services. A scaled site plan shall be submitted to the Board of Zoning and Sign Appeals as part of the Conditional Use application process to ensure the compliance with this item; and,

(iii) Limited principal dwelling unit. The following restrictions are to permit a principal dwelling unit to provide a functional use of the property and reduce the potential negative aspects of a principal residential unit in a commercial zoning district. The following provisions shall apply:

(A) Principal residential use to be limited to a one family dwelling unit.

(B) Except for building and site signage, all commercial site and building improvements including parking, lighting, landscaping, access upgrades shall be maintained to allow conversion to a permitted commercial use and maintain the commercial appearance of the property and building.

(C) All outdoor storage, except for licensed and operable motor vehicles on asphalt or concrete parking areas, shall be limited to indoor facilities

(D) All proposed building and site improvements shall meet commercial development standards.

(E) The board of zoning appeals shall conduct a hearing with prior notice to the property owner and may act to cancel the conditional use in the case of two (2) or more property maintenance or municipal code violations with the residential dwelling unit.

(F) Conditional use approval to expire with a change of use to a permitted use in the zoning district. A permit may not be transferred to another owner or type of use without a rehearing before the board.

(I) Detached accessory guest building alternative bed and breakfast homestay use to meet the provisions of (ii) bed and breakfast homestay items (A) through (H) but the application may also be reviewed through the conditional use process defined by the zoning ordinance including the following additional sections:

(1) Detached accessory building and guest buildings shall only be permitted for properties five (5) acres or larger; and,

(2) Existing accessory residential dwellings unit buildings constructed prior to the effective date of this section (I) may be reviewed in current condition; and,

(3) Detached accessory building guest buildings shall only be permitted on the property of the primary single family dwelling unit; and,

(4) The total number of guest units four (4) shall apply to the entire property and guest accessory buildings shall not contain any kitchen or cooking facilities; and,

(5) The accessory guest buildings units shall be constructed per the requirements of the zoning ordinance accessory building requirements regarding location, maximum floor area ratio and lot coverage, maximum building height; and,

(6) The accessory guest buildings units shall be constructed to be consistent with the wall and roof materials of the primary single family dwelling unit; and

(7) The accessory guest buildings units shall be constructed to meet the minimum side and rear setbacks of the residential zoning district; and,

(8) The accessory buildings shall be permanent buildings meeting the requirements of the

International Residential Building Code and shall not include any portable structures; and,

(9) The accessory guest buildings shall be connected to the primary single family residence building where a meal is provided to overnight guests only. The connections shall be either a vehicular or pedestrian connections and the accessory guest buildings shall be accessible for emergency services. A scaled site plan shall be submitted to the board of zoning and sign appeals as part of the conditional use application process to ensure the compliance with this item; and

(10) The accessory guest building shall not be constructed in a FEMA flood insurance rate map designed floodplain or floodway zone; and,

(11) Accessory guest buildings shall not be used as permitted residential dwellings units and property owner to provide notarized statement that accessory guest buildings are not permitted permanent dwelling units.

(i) Specific standards for floodway and flood-fringe districts. A conditional use permit shall not be granted for any use requiring such a permit until the board of appeals has: 1) Reviewed the contents of the plan required by § 14-209(2)(a)(ii)(A); 2) Made such determinations as required by § 14-209(4)(b)(iv) where necessary; 3) Considered all relevant factors specified below; and 4) Attached such conditions as it deems necessary for the protection of the public health, safety and welfare.

(i) Factors upon which the decision of the board shall be based. In its review of any conditional use proposed for location within any area subject to flood, the board shall consider all relevant factors specified in § 14-209 of this title, and;

(A) The danger to life and property due to increased flood heights or velocities caused by encroachments.

(B) The danger that materials may be swept on to other lands or downstream to the injury of others.

(C) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.

(D) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.

(E) The importance of the services provided by the proposed facility to the community.

(F) The requirements of the facility for a waterfront location.

(G) The availability of alternative locations not subject to flooding for the proposed use.

(H) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.

(I) The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.

(J) The safety of access to the property in times of flood for ordinary and emergency vehicles.

(K) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood-water expected at the site.

(L) Such other factors which are relevant to the purposes of this title.

(ii) Conditions attached to conditional uses. Upon consideration of any conditional use proposed for location within any area subject to flood, the board may attach such conditions to the granting of such use as it deems necessary to further the purposes of this title. Among such conditions, without limitations because of specific enumeration, may be included:

(A) Modification of waste disposal and water supply facilities.

(B) Limitations of periods of use and operation.

(C) Imposition of operations controls, sureties, and deed restrictions.

(D) Requirements for construction of channel modifications, dikes, levees, and other protective measures.

(E) Floodproofing measures such as those set forth in § 14-209 of this title.

(j) Conditional use permit appeals. Any person or agency of the city government may appeal to a court of competent jurisdiction from the board's decision as provided under statutes of the State of Tennessee. The judgment and findings of the board on all questions of fact that may be involved in any appeal, cause, hearing or proceeding under this chapter shall be final, and subject to review only for illegality or want of jurisdiction.

(10) Amendments. (a) General. The board of commissioners may, from time to time, amend this title by changing the boundaries of districts or by changing any other provisions whenever they find the public necessity, convenience, and general welfare require such amendment.

(b) Initiation of amendment. Amendments may be initiated by the city commission, Goodlettsville Municipal/Regional Planning Commission or by an application of one or more owners of property affected by the proposed amendment.

(c) Application for amendment fee. An application by an individual for an amendment shall be accompanied by a fee of two hundred dollars (\$200.00) without legal description or four hundred dollars (\$400.00) with a required legal description payable to the city, and shall also be accompanied by maps, drawings, and data necessary to demonstrate that the proposed amendment is in general conformance with the general plan of the area and that public necessity, convenience, and general welfare, require the adoption of the proposed amendment. An accurate legal description and scale drawing of the land and existing buildings shall be submitted with application.

(d) Review and recommendations by the Goodlettsville Municipal/Regional Planning Commission. The Goodlettsville Municipal/Regional Planning Commission shall review and make recommendations to the board of commissioners on all proposed amendments to this title. The review and recommendations of the Goodlettsville Municipal/Regional Planning Commission shall be based upon the land use or general plan for the area as adopted and such other considerations as the Goodlettsville Municipal/Regional Planning Commission finds to be applicable to the case.

(e) Public hearing and notice of hearing. A public hearing shall be held on all proposed amendments to this ordinance prior to second reading by the city commission. Notice of such hearing shall be displayed as follows:

The city manager shall give notice in a newspaper of general circulation within the city at least fifteen (15) days prior to the public hearing. This notice shall specify the location, current and proposed zoning classification, and it may contain a graphic illustration of the area.

(f) Amendments affecting zoning map. Upon enactment of an amendment to the zoning map which is part of this ordinance, the planning director shall cause such amendment to be placed upon the zoning map noting thereon the ordinance number.

(g) Effect of denial of application. Whenever an application for an amendment to the text of this title or for change in the zoning classification of any property is denied, the application for such amendment shall not be eligible for reconsideration for one (1) year following such denial, except in the following cases:

(i) Upon initiation by the board of commissioners or Goodlettsville Regional/Municipal Planning Commission.

(ii) When the new application, although involving all or a portion of the same property, is for a different zoning district than that for which the original application was made;

(iii) When the previous application was denied for the reason that the proposed zoning would not conform with the general plan, and the general plan has subsequently been amended in a manner which will allow the proposed zoning.

(11) Remedies and enforcement. (a) Complaints regarding violations. Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the cause and basis thereof shall be filed with the code administrator. The code administrator shall record properly such complaint, immediately investigate, and take action thereon as provided in this ordinance.

(b) Penalties for violation. 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 variances or conditional uses) shall be punishable as provided for by law. Each day such violation exists shall be deemed a separate offense.

The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participated in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

(c) Remedies. In case any building or other structure is proposed to be erected, constructed, reconstructed, altered, extended or converted, or any building or other structure or land is or is proposed to be used in violation of this ordinance, the building inspector or other appropriate authority of the city government 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, conversion or use, to correct or abate such violation, or to prevent the occupancy of such building or other structure or land. Where a violation of these regulations exists with respect to a building or other structure or land, the codes 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 there from until such time as the building or other structure or premises are no longer in violation of these regulations, and each such utility or department shall comply with such request. (Ord. #06-674, June 2006, as amended by Ord. #10-747, Sept. 2010, Ord. #15-850, Nov. 2015, Ord. #16-869, July 2016, Ord. #17-883, Jan. 2017, Ord. #17-886,

Jan. 2017, Ord. #18-915, April 2018, and Ord. #19-954, Oct. 2019  
*Ch4\_1-23-20*)

**14-214. Legal status provisions.** (1) Interpretation. In their interpretation and application, the provisions of this section shall be held to the minimum requirements for the promotion of the public health, safety, morals, and welfare.

(2) Relationships to other laws and private restrictions. (a) Where the conditions imposed by any provisions of this ordinance upon the use of land or buildings or other structures or upon the height or bulk of buildings or other structures are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this ordinance or any other law, or ordinance, of any kind, the provisions which are most restrictive shall apply.

(b) This ordinance is not intended to abrogate any easement, covenant, or any other private agreement provided that where the regulations of this section are more restrictive (or impose higher standards or requirements) than such easements, covenants, or other restrictive agreements, the requirements of this title to the extent that they are more restrictive shall govern.

(c) Provisions do not constitute permit. Nothing contained in this ordinance shall be deemed to be a consent, license or permit: to use any property; or locate, construct, or maintain any building, structure, or facility; or to carry on any trade, industry, occupation or activity.

(3) Provisions are cumulative. The provisions of this ordinance are cumulative with any additional limitations imposed by all other laws and ordinances heretofore passed or which may be passed hereafter governing any subject matter appearing in this ordinance.

(4) Severability. It is hereby declared to be the intention of the board of commissioners that the several 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.

(b) If any court competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular property, building, or other structure, such judgment shall not affect the application of said provisions to any other property, building, or structure not specifically included in said judgment.

(5) Effective date. This ordinance shall be in force and effect from and after its passage and adoption, the public welfare requiring it. (Ord. #06-674, June 2006)

TABLE II  
BULK, YARD AND DENSITY REGULATIONS  
RESIDENTIAL DISTRICTS

	<u>A</u>	<u>R40</u>	<u>R25</u>	<u>R15</u>	<u>R10</u>	<u>R7</u>
Minimum lot requirements						
Residential buildings (in square feet)	217,800	40,000	25,000	15,000	10,000	7,000
Other uses	217,000	120,000	120,000	120,000	40,000	25,000
Minimum lot width*	150	125	100	75	60	50
Maximum lot coverage						
Principal & accessory bldgs.	10%	20%	20%	25%	40%	40%
Maximum floor area ratio	0.12	0.25	0.25	0.33	0.40	0.50
Maximum height (in feet)	35	35	35	35	35	35
Minimum development area per dwelling unit** (in square feet)						
	217,800	40,000	25,000	15,000	10,000	7,000
Minimum yard requirements						
Front - Arterial streets	75	50	50	50	40	40
Collector streets	75	50	40	40	30	30
Minor streets	75	50	40	30	30	30
Side	40	20	15	10	10	9
Rear	40	40	30	20	20	20

\*Lot width shall be measured at the minimum front setback line as specified above.

\*\*May also be used as "density" for calculating dwelling units per acre. Planned unit development requirements are contained in § 14-210.

**TABLE III  
BULK LOT AND OPEN SPACE REQUIREMENTS  
COMMERCIAL DISTRICTS**

	<u>CC</u>	<u>CG</u>	<u>CS</u>	<u>CSL</u>	<u>OP</u>
Minimum lot size (in square feet)	2,500	20,000	25,000	20,000	15,000
Minimum lot width (in feet at the street line)	25	100	125	100	75
Maximum lot coverage (all buildings)	80%	40%	40%	40%	40%
Maximum height (in stories)*	4	4	4	5	2
Maximum floor area ratio	2.00	2.00	1.00	1.00	0.20
Minimum setback requirements					
Front	10	40	50	40	40
Side	0	10	10	15	15
Rear	0	30	10	10	10

\*For each story above two (2), the side and rear setbacks shall increase five feet (5') in the CG, CS, CSL, & OP zones.

NOTE: The requirements of the commercial core overlay zone supercede all other requirements.

Planned unit development requirements are contained in chapter 11.

(as amended by Ord. #14-817, May 2014, Ord. #14-827, Jan, 2015, and Ord. #15-836, June 2015)

TABLE IV  
BULK, LOT AND OPEN SPACE REQUIREMENTS  
INDUSTRIAL DISTRICTS

	<u>IR</u>	<u>IG</u>
Minimum lot size (in square feet)	25,000	40,000
Minimum lot width (in feet at the street line)	75	100
Maximum lot coverage (all buildings)	40%	50%
Maximum height (in stories)	2	3
Maximum floor ratio	1.00	2.00
Minimum setback requirements		
Front	40	50
Side	20	20
Rear	20	30

APPENDIX B  
PROHIBITED AND RECOMMENDED PLANT LISTS

The following listed plants shall not be used in any landscape plan required by this ordinance nor in any supplemental planting on any site.

SEVERE THREAT

Scientific Name	Common Name
Ailanthus Altissima (Mill.) Swingle	Tree of Heaven
Albizia Julibrissin Durz.	Mimosa
Celastrus Orbiculata Thunb.	Asian Bittersweet
Elaeagnus Umbellata Thunb.	Autumn Olive
Elaeagnus Pungens Thunb.	Thorny Olive
Euonymus Fortunei (Turcz.) Hand.-Mazz	Winter Creeper
Hedera Hilix L.	English Ivy

Scientific Name	Common Name
<i>Lespedeza Cuneata</i> (Dum.-Cours.) G. Don	Sericea Lespedeza
<i>Ligustrum Sinense</i> Lour.	Chinese Privet
<i>Ligustrum Vulgare</i> L.	Common Privet
<i>Lonicera Fragrantissima</i> Lindl. & Paxton	January Jasmine
<i>Lonicera Japonica</i> Thunb.	Japanese Honeysuckle
<i>Lonicera Maackii</i> (Rupr.) Maxim.	Amur Bush Honeysuckle
<i>Lonicera Morrowii</i> A. Gray	Morrow's Bush Honeysuckle
<i>Lonicera Tatarica</i> L.	Tartarian Honeysuckle, Twinsisters
<i>Lonicera X Bella Zabel</i>	Bush Honeysuckle
<i>Lythrum Salicaria</i> L. (all varieties and cultivars)	Purple Loosestrife
<i>Paulownia Tomentosa</i> (Thunb.) Sieb. & Zucc. Ex Steud	Princess Tree
<i>Spiraea Japonica</i> L. F.	Japanese Spiraea

### SIGNIFICANT THREAT

Scientific Name	Common Name
<i>Berberis Thunbergii</i> DC.	Japanese Barberry
<i>Euonymus Alata</i> (Thunb.) Sieb.	Burning Bush
<i>Lespedeza Bicolor</i> Turcz.	Bicolor Lespedeza, Shrubby Bushclover
<i>Ligustrum Japonicum</i> Thunb.	Japanese Privet
<i>Lysimachia Nummularia</i> L.	Moneywort, Creeping Jenny
<i>Mahonia Bealei</i> (Fortune) Carriere	Leatherleaf Mahonia
<i>Miscanthus Sinensis</i> Andersson	Zebra Grass, Chinese Silver Grass
<i>Nandina Domestica</i> Thunb.	Nandina, Sacred-Bamboo
<i>Populus Alba</i> L.	White Poplar
<i>Vinca Minor</i> L.	Common Periwinkle

Scientific Name	Common Name
<i>Wisteria Sinensis</i> (Sims) DC.	Chinese Wisteria
<i>Wisteria Floribunda</i> (Willd.) DC.	Wisteria

### Recommended Tree and Shrub List

The following trees and shrubs have been identified as species that are suitable in this geographic region and are acceptable by the City of Goodlettsville.

Canopy trees - (A tree that normally achieves an overall height at maturity of thirty feet (30') or more).

BOTANICAL NAME	COMMON NAME
Deciduous Canopy:	
<i>Acer rubrum</i>	Red Maple and cultivars
<i>Acer saccharum</i>	Sugar Maple and cultivars
<i>Betula nigra</i>	River Birch
<i>Cercidiphyllum japonicum</i>	Katsuratree
<i>Cladrastis kentukea</i>	American Yellowwood
<i>Fraxinus americana</i>	White Ash - seedless varieties only
<i>Fraxinus pennsylvanica</i>	Green Ash - seedless varieties only
<i>Gingko biloba</i>	Gingko, Maidenhair - male only
<i>Gymnocladus dioicus</i>	Kentucky Coffeetree - fruitless
<i>Liquidambar styraciflua</i>	Sweetgum - fruitless varieties only
<i>Liriodendron tulipifera</i>	Yellow Poplar, Tuliptree
<i>Metasequoia glyptostroboides</i>	Dawn Redwood
<i>Nyssa sylvatica</i>	Black Gum, Tupelo
<i>Platanus acerifolia</i>	London Planetree
<i>Platanus occidentalis</i>	Sycamore
<i>Quercus acutissima</i>	Sawtooth Oak
<i>Quercus alba</i>	White Oak

BOTANICAL NAME	COMMON NAME
<i>Quercus coccinea</i>	Scarlet Oak
<i>Quercus imbricaria</i>	Shingle Oak
<i>Quercus palustris</i>	Pin Oak
<i>Quercus phellos</i>	Willow Oak
<i>Quercus prinus</i>	Chestnut Oak
<i>Quercus rubra</i>	Red Oak
<i>Quercus shumardii</i>	Shumard Oak
<i>Taxodium distichum</i>	Bald Cypress
<i>Ulmus parvifolia</i>	Chinese Elm - disease resistant only
<i>Zelkova serrata</i>	Japanese Zelkova
Evergreen Tall Growing Trees:	
<i>Ilex opaca</i>	American Holly and cultivars
<i>Juniperus virginiana</i>	Eastern Redcedar
<i>Magnolia grandiflora</i>	Southern Magnolia
<i>Picea abies</i>	Norway Spruce
<i>Pinus strobus</i>	White Pine
<i>Pinus sylvestris</i>	Scots Pine
<i>Pinus thunbergiana</i>	Japanese Black Pine
<i>Pinus virginiana</i>	Virginia Pine
<i>Tsuga canadensis</i>	Canadian (Eastern) Hemlock

Understory trees - (Trees that normally achieve an overall height at maturity of fifteen to thirty feet (15' – 30'), and can grow under canopy trees).

BOTANICAL NAME	COMMON NAME
Deciduous Understory Trees:	
<i>Acer buergerianum</i>	Trident Maple
<i>Acer campestre</i>	Hedge Maple

BOTANICAL NAME	COMMON NAME
<i>Acer ginnala</i>	Amur Maple and cultivars
<i>Acer griseum</i>	Paper Bark Maple
<i>Acer palmatum</i>	Japanese Maple and cultivars
<i>Aesculus pavia</i>	Red Buckeye
<i>Amelanchier arborea</i>	Serviceberry
<i>Carpinus caroliniana</i>	American Hornbeam
<i>Cercis canadensis</i>	Eastern Redbud and cultivars
<i>Chioanthus retusus</i>	Chinese Fringetree
<i>Chioanthus virginicus</i>	White Fringetree
<i>Cornus florida</i>	Flowering Dogwood and cultivars
<i>Cornus kousa</i>	Kousa Dogwood and cultivars
<i>Cornus mas</i>	Corneliancherry Dogwood
<i>Crataegus phaenopyrum</i>	Washington Hawthorn
<i>Crataegus viridis</i>	Green Hawthorn
<i>Franklinia alatamaha</i>	Franklin Tree
<i>Ilex decidua</i>	Possumhaw
<i>Lagerstroemia indica</i>	Crepe Myrtle - Tree forms only
<i>Magnolia x soulangiana</i>	Saucer Magnolia
<i>Magnolia stellata</i>	Star Magnolia
<i>Magnolia virginiana</i>	Sweetbay Magnolia
<i>Malus</i> cultivars/varieties	Crabapples - disease resistant only
<i>Ostrya virginiana</i>	American Hophornbeam
<i>Oxydendron arboreum</i>	Sourwood
<i>Prunus serrulata</i>	Flowering Cherry
<i>Prunus x yedoensis</i>	Yoshino Cherry
<i>Styrax japonica</i>	Japanese Snowball

BOTANICAL NAME	COMMON NAME
<i>Syringa reticulata</i>	Japanese Tree Lilac
Evergreen Low Growing Trees:	
<i>Ilex cornuta</i> 'Burfordi'	Burford Holly
<i>Ilex x attenuata</i> 'Fosteri'	Foster's Hybrid Hollies
<i>Ilex x</i> 'Nellie R. Stevens'	Nellie R. Stevens Holly
<i>Prunus caroliniana</i>	Cherry Laurel
<i>Magnolia grandiflora</i> 'Little Gem'	Little Gem Magnolia

Shrubs - a woody plant with multiple stems capable of growing to a height of no more than fifteen feet (15').

Shrubs for buffer yards: One-half (1/2) of required shrubs should reach a height of five feet (5') within five (5) years of planting. One-half (1/2) of shrubs must be evergreen species.

BOTANICAL NAME	COMMON NAME
Deciduous & Semi-evergreen Shrubs:	
<i>Abelia x grandiflora</i> & cultivars	Glossy Abelia
<i>Aronia arbutifolia</i> & cultivars	Red Chokecherry
<i>Chaenomeles speciosa</i>	Flowering Quince
<i>Clethra alnifolia</i>	Sweet Pepperbush
<i>Forsythia x intermedia</i>	Flowering Forsythia
<i>Hamamelis</i>	Witch Hazel
<i>Hydrangea quercifolia</i> & cultivars	Oakleaf Hydrangea
<i>Ilex serrata</i>	Finetooth Holly
<i>Ilex verticillata</i>	Winterberry
<i>Itea virginica</i>	Virginia Sweetspire
<i>Kolkwitzia amabilis</i>	Beautybush
<i>Lagerstroemia</i> cultivars	Shrub Crepe myrtles

BOTANICAL NAME	COMMON NAME
Viburnum species & cultivars	Viburnum
Evergreen Shrubs:	
Ilex cornuta cultivars	Chinese Hollies
Ilex crenata	Japanese Holly
Ilex glabra	Inkberry
Ilex x meserveae	Meserveae Hybrid Hollies
Juniperus chinensis cultivars	Chinese Juniper
Nandina domestica	Nandina
Prunus laurocerasus 'Otto Luyken' and 'Schipkaensis'	Otto Luyken and Schip Laurel
Viburnum pragense	Prague Viburnum
Viburnum rhytidophyllum	Leatherleaf Viburnum

Shrubs for perimeter: Evergreen shrubs should be maintained at two and one-half feet (2 1/2').

BOTANICAL NAME	COMMON NAME
Buxus sempervirens	American Boxwood
Juniperus chinensis	Chinese Juniper
Nandina domestica	Dwarf Nandina 'Fire Power', 'Harbour Dwarf'
Prunus laurocerasus 'Otto Luyken' and 'Schipkaensis'	Otto Luyken and Schip Laurel
Taxus x media 'Densiformis'	Densiformis Yew

#### APPENDIX C

The following cross index lists many types of land uses and references the activity classification in which the use is located for regulatory purposes and which is further detailed in § 14-202. The index does not necessarily include all possible land uses. Some uses may fall into more than one classification depending upon the use characteristics.

Land UseActivity Classification

## A

Accounting, Auditing, & Bookkeeping Services	Financial, Consultative & Administrative Services
Advertising Agencies & Services	General Business/Communication Services
Adjustment, Collection & Credit Reporting Agencies	General Business/Communication Services
Aeronautical Devices	Extensive Impact Facilities
Agricultural Credit Institution	Financial, Consultative & Administrative Services
Air Cargo Terminals, Airports, Heliports	Extensive Impact Facilities
Airports, Air Cargo Terminals, Heliports, or Other Aeronautical Devices	Extensive Impact Facilities
Amusement Parks	Group Assembly
Antique & Second Hand Merchandise Stores	General Retail Trade
Apparel, Piece Goods, & Notions	Wholesale Sales
Aquariums	Cultural/Recreational Services
Arcades - Coin Operated Amusement	Entertainment/Amusement Services
Architectural Services	Financial, Consultative & Professional Services
Art & Music Schools	General Personal Services
Art Galleries	Cultural/Recreational Services, Entertainment & Amusement
Artists Studios (Excluding Commercial Artists)	Entertainment/Amusement Services
Associations for Physically or Mentally Handicapped Persons	Medical Services
Attorneys & Law Offices	Financial, Consultative & Professional Services
Auditing, Accounting, Bookkeeping Services	Financial, Consultative & Administrative Services
Auditoriums	Extensive Impact Facilities, Entertainment & Amusement Services
Auto Cleaning & Repair Services	Automotive Repair/Cleaning
Auto Repair & Auto Cleaning Services	Automotive Repair/Cleaning
Auto Glass Repair & Replacement Shops	Automotive Repair/Cleaning
Auto Inspection & Diagnostic Services	Automotive Repair/Cleaning
Auto Minor Repairs	Automotive Servicing
Auto Paint Shops	Automotive Repair/Cleaning
Auto Towing Services	Automotive Repair/Cleaning
Automobile Clubs	General Business/Communication Services
Automobile Junk Yards	Salvage Operations
Automotive Parts (No Exterior Storage)	General Retail Trade
B	
Bakeries	Convenience Commercial
Bandstands	Extensive Impact Facilities
Banking & Bank-Related Functions	Financial, Consultative &

Barber & Beauty Schools	Professional Services
Bathing Suit Stores	Convenience Commercial & General Personal
Batting & Golf Driving Ranges	General Retail Trade
Beaches	Entertainment/Amusement Services
Beauty Shops	Cultural/Recreational Services
Bedding & Linen Stores	Convenience Commercial
Beer, Wine, & Distilled Alcoholic Beverages	General Retail Trade
Better Business Bureaus	Wholesale Sales
Billiard Parlors & Bowling Alleys	General Business/Communication Services
Boat & Motor Dealers	Entertainment/Amusement Services
Book & Stationery Stores (Excluding Adult Bookstores)	Vehicular/Craft/Related Equipment
Bookkeeping Services	General Retail Trade
Botanical Gardens	Financial, Consultative & Professional
Bowling Alleys & Billiard Parlors	Cultural/Recreational Services
Builder's Hardware	Entertainment/Amusement Services
Building Contractors	Construction Sales & Services
Bus Terminals	Construction Sales & Services
Bus & Truck Maintenance & Repair	Extensive Impact Facilities
Business Schools	Transport & Warehousing
	General Personal Services
C	
Camera Stores	General Retail Trade
Camp Grounds (Commercial)	Group Assembly
Candy, Nut & Confectionery Stores	General Retail Trade
Car Washes	Automotive Repair/Cleaning
Carpentering Contractors	Construction Sales & Services
Cemeteries	Undertaking Services
Cemeteries, Columbariums, & Mausoleums	Intermediate Impact Facilities
Centers for Observation or Rehabilitation	Health Care Facilities
Chamber of Commerce	General Business/Communication Services
Chapels	Religious Facilities
Chemicals & Allied Products	Wholesale Sales
Child Care Facilities	Personal/Group Care Facilities
Children's & Infant's Stores	General Retail Trade
Chiropractors Offices	Medical Services
Churches	Religious Facilities
City, County, State, & Federal Offices	Administrative Services
Civic, Social, Fraternal, & Philanthropic	Community Assembly
Civil Defense Facilities	Administrative Services
Cleaning Services (Commercial)	General Business/Communication
Clothing Stores (Family)	General Retail Trade

Clothing Rental Agencies	General Personal Services
Clocks, Watch & Jewelry Repair	Consumer Repair Services
Clubs Private (nonprofit)	Community Assembly
Clubs (Automotive)	General Business/Communication Services
Coin Operated Amusement Arcades	Entertainment/Amusement Services
Collection, Adjustment & Credit Reporting Agencies	General Business/Communication Services
Colleges, Junior Colleges, & Universities, excluding Profit Making Business Schools	Intermediate Impact Facilities
Columbariums, Cemeteries & Mausoleums Facilities	Intermediate Impact
Commercial (Recreational) Resorts	Group Assembly
Commercial Boat Docks, Marinas, & Yacht Clubs	Intermediate Impact Facilities
Commercial Camp Grounds	Group Assembly
Commercial Cleaning Services	General Business/Communication Services
Commercial Sports Arenas & Playing Fields	Group Assembly
Commercial Testing Laboratories	General Business/Communication
Communications Services	General Business/Communication
Computer & Data Processing Services	General Business/Communication
Concrete Contractors	Construction Sales & Service
Confectionary, Candy & Nut Stores	General Retail Trade
Consignment Stores	General Retail Trade
Consulting Scientists	Medical Services
Contractors (Carpentering)	Construction Sales & Services
Contractors (Concrete)	Construction Sales & Services
Contractors (Electrical/Heating)	Construction Sales & Services
Contractors (Excavation)	Construction Sales & Services
Contractors (Plumbing)	Construction Sales & Services
Convalescent Homes	Health Care Facilities
Convents or Monasteries	Religious Facilities
Cookware Stores	General Retail Trade
Correction & Detention Institutions	Extensive Impact Facilities
County, City, State & Federal Offices	Administrative Services
Court Buildings	Administrative Services
Credit Reporting, Adjustment, & Collection Agencies	General Business/Communication
Credit Unions	Financial, Consultative & Administrative
Curtain, Drapery & Upholstery Stores	General Retail Trade
Custom Tailors	General Retail Trade
Cutlery Stores	General Retail Trade

## D

Dairy Products Stores  
 Dancing Schools/Exercise Studios  
  
 Data Process & Computer Services  
 Day Care Facilities (Children)  
 Decorating, Painting & Paper  
   Hanging Services  
 Dental Offices & Laboratories  
 Department Stores  
 Detective Agencies & Protective Services  
 Detention Institutions  
 Diagnostic Service for Automobiles  
 Direct Selling Organization  
 Distilled Alcoholic Beverages,  
   Beer & Wine  
 Drafting Services  
 Drag Strips  
 Drapery, Curtain, & Upholstery Stores  
 Drive-In Restaurants  
 Driving Schools  
 Drug Stores & Proprietary Stores  
 Drugs, Drug Proprietary, & Sundries  
 Dry Cleaning, Laundry Pick-up Stations

General Retail Trade  
 Entertainment/Amusement Services & General  
   Personal Services  
 General Business/Communication  
 Personal/Group Care Facilities  
 Construction Sales & Services  
  
 Medical Services  
 General Retail Trade  
 General Business/Communication  
 Extensive Impact Facilities  
 Automotive Repair/Cleaning  
 General Retail Trade  
 Wholesale Sales  
  
 General Business/Communication  
 Group Assembly  
 General Retail Trade  
 Food Service Drive-In  
 General Personal Services  
 Convenience Commercial & General Retail  
 Wholesale Sales  
 Convenience Commercial

## E

Educational & Scientific Research  
   Services  
 Electric, Gas, Water & Sewer  
   Distribution & Collection Lines  
 Electrical & Gas Substations  
 Electrical Goods & Appliances  
 Electrical, Heating & Plumbing  
   Contractors  
 Electrical, Heating & Plumbing Supplies  
 Electrical Repair Shops  
 Electricity Generating Facilities &  
   Transmission Lines  
 Employment, Personnel, & Temporary  
   Help Services  
 Engineering, Architectural, &  
   Planning Services  
 Equipment & Supplies (Farming)  
 Excavation Contractors

Medical Services  
  
 Essential Services  
  
 Essential Services  
 Wholesale Sales  
 Construction Sales & Service  
  
 Building Supplies/Farm Equipment  
 Consumer Repair Services  
 Extensive Impact Facilities  
  
 General Business/Communication  
  
 Medical & Professional Services  
  
 General Retail Trade  
 Construction Sales & Services

Exercise Studios/Dancing Schools	Entertainment/Amusement Services/ & General Personal Services
Exhibition Halls & Auditoriums	Entertainment/Amusement Services
Extended Stay Hotel/Motel	Transient Habitation
Exterminating Services	General Business/Communication
F	
Family Clothing Stores	General Retail Trade
Farm Equipment & Supplies	Building Materials/Farm Equipment
Farm Products Raw Materials	Wholesale Sales
Farm Supplies	Wholesale Sales
Fast Food Restaurants with Drive- Thru Service	Food Service Drive-In
Feed Milling & Sales	Building Materials/Farm Equipment
Fire Department Facilities	Administrative Services
Federal, City, County & State Offices	Administrative Services
Festivals (Nonprofit, Temporary)	Community Assembly
Floor Covering Stores	General Retail Trade
Florists	General Retail Trade
Food Lockers	Transport & Warehousing
Fruit Stores & Vegetable Markets	General Retail Trade
Fuel Sales & Services	Automotive Repair/Cleaning
Fuel Transmission Lines & Facilities (Major)	Extensive Impact Facilities
Funeral Homes	Undertaking Services
Furniture & Home Furnishings	Wholesale Sales
Furniture Repair & Reupholstery	Consumer Repair Services
Furniture Stores	General Retail Trade
Furriers & Fur Shops	General Retail Trade
G	
Garbage Incineration Plants including Cogeneration Facilities	Extensive Impact Facilities
Gas Distribution Lines	Essential Services
Gas Substations	Essential Services
Gasoline Pumps - Self Service	Convenience Commercial
Gasoline Service Stations	Automotive Servicing
Gasoline, Fuel, & Oil Sales & Services	Automotive Repair/Cleaning
General Building Contractors	Construction Sales & Service
General Warehousing	Transport & Warehousing
Gift Shops	General Retail Trade
Glassware & China Shops	General Retail Trade
Glazing Contractors	Construction Sales & Services
Golf Courses	Intermediate Impact Facilities

Golf Driving Ranges/Batting Cages	Entertainment/Amusement Services
Groceries & Related Products	Wholesale Sales
Grocery Stores	Convenience Commercial
& General Retail	
Group Home for Physically or Mentally Handicapped Persons	Personal/Group Care Facilities
Group Living Arrangements	Institutional Care Facilities
Gunsmith Shops	Consumer Repair Services
Gymnasiums	Cultural/Recreational Services
H	
Halfway Houses	Institutional Care Facilities
Handicapped Persons Associations (Physically/Mentally)	Personal/Group Care Facilities
Hardware Stores (Builders)	General Business/Communication
Hardware Store (No Outside Storage)	Convenience Commercial & General Retail
Hardware, Plumbing, & Heating	Wholesale Sales Equipment & Supplies
Health Spas	General Personal Services
Heating, Plumbing & Electrical Contractors	Construction Sales & Services
Heating, Plumbing & Electrical Supplies	Building Materials/Farm Equipment
Heliports	Extensive Impact Facilities
Highway & Street Construction Contractor	Construction Sales & Services
Hobby, Toy, & Game Stores	General Retail Trade
Holding & Investment Organizations	Financial & Consultative & Administrative
Home Furnishing & Furniture Store	Wholesale Sales
Hospitals	Health Care Facilities
Hotel (Extended Stay)	Transient Habitation
Household Appliance Stores	General Retail Trade
Household Goods Storage	Transport & Warehousing
I	
Infant & Children Stores	General Retail Trade
Instrument Repair Shops	Consumer Repair Services
Institutions (Detention)	Extensive Impact Facilities
Insurance Carriers, Agents, Brokers, & Service	Financial, Consultative & Administrative
Interior Decorator & Consulting Services	General Business/Communication
Investment & Money Management Offices	Financial & Consultative & Administrative
J	
Jewelry, Watch & Clock Repair	Consumer Repair Services
Jewelry Stores	General Retail Trade

Junk Yards (Automotive)	Salvage Operations
Junior Colleges, Colleges & Universities, Excluding Profit Making Business Schools	Intermediate Impact Facilities
K	
Kennels	Animal Care/Veterinarian Services
Kindergarten, Primary, & Secondary Schools	Community Education
Knife (Cutlery) Stores	General Retail Trade
L	
Labor Unions	General Business/Communication
Laboratories (Commercial Testing)	General Business/Communications
Laboratories (Dental)	Medical Services
Lamp & Shade Shops	General Retail Trade
Laundry, Cleaning & Garment Services	Convenience Commercial & General Personal
Law & Attorneys Offices	Financial, Consultative & Professional
Lawn & Garden Supply Stores, Retail Nurseries	Building Supplies/Farm Equipment
Lawn Mower Repair Shops	Consumer Repair Services
Libraries	Cultural/Recreational Services
Linens & Bedding Stores	General Retail Trade
Liquor Stores	Convenience Commercial & General Retail
Locksmith Shops	Consumer Repair Services
Lodges	Community Assembly
Lubricating Services	Automotive Servicing
Luggage Shops	General Retail Trade
Lumber & Other Building Materials Dealers	Building Materials/Farm Equipment
Lumber & Other Construction Materials	Wholesale Sales
M	
Machinery, Equipment, & Supplies	Wholesale Sales
Mail Order Houses	General Retail Trade
Mail Processing Centers (Major)	Extensive Impact Facilities
Mailing, Reproduction, & Commercial Art Services	General Business/Communication
Major Fuel Transmission Lines & Facilities	Extensive Impact Facilities
Major Mail Processing Centers	Extensive Impact Facilities
Management, Consulting, & Public Relations Services	Financial, Consultative & Professional
Marinas	Intermediate Impact Facilities
Marshaling & Storage Yards	Extensive Impact Facilities

Masonry, Stonework, Tile Setting & Plastering Contractors	Construction Sales & Service
Mausoleums, Cemeteries & Columbariums	Intermediate Impact Facilities
Meat & Seafood Markets	General Retail Trade
Medical Clinics	Health Care Facilities
Meeting Halls	Community Assembly
Membership Organizations	General Business/Communication
Men's & Boy's Clothing & Furnishing Stores	General Retail Trade
Mentally Handicapped Persons Associations	Personal/Group Care Facilities
Metals & Minerals	Wholesale Sales
Military Installations	Extensive Impact Facilities
Milling & Sales (Feed)	Building Materials/Farm Equipment
Mini Warehouses (Included by Conditional Use Only)	General Personal Services
Misc. Apparel & Accessory Stores	General Retail Trade
Misc. General Merchandise Stores	General Retail Trade
Misc. Home Furnishings Stores	General Retail Trade
Misc. Personal Services	General Personal Services
Mobile Home Dealers	Vehicular/Craft/Related Equipment
Money Management & Investment Offices	Financial, Consultative & Administrative
Monasteries & Convents	Religious Facilities
Motel (Extended Stay)	Transient Habitation
Motor Dealers (Boat)	Vehicular/Craft/Related Equipment
Motion Picture Theaters (Excluding Adult Entertainment as Defined)	Entertainment/Amusement Services
Motor Vehicle Dealers	Vehicular/Craft/Related Equipment
Motor Vehicles & Automotive Parts & Supplies	Wholesale Sales
Motorcycle Dealers	Vehicular/Craft/Related Equipment
Movie Theaters (Excluding Adult Entertainment as Defined)	Entertainment/Amusement Services
Museums	Cultural/Recreational Services
Muffler & Radiator Shops	Automotive Repair/Cleaning
Music Schools	General Personal Services
Music Stores	General Retail Trade
N	
News Stands (Excluding Adult Bookstores as Defined)	Convenience Commercial & General Retail
News Syndicates	General Business/Communication
Notions, Piece Goods & Apparel	Wholesale Sales

Nursery Schools (Public/Private)  
 Nurseries, Lawn & Garden Supply Stores  
 Nursing Homes  
 Nut, Candy & Confectionery Stores

## O

Observations Centers  
 Office Equipment Cleaning & Repair  
 Optometrists

## P

Packing & Crating Services  
 Painting (Automotive) Shops  
 Paint & Wallpaper Stores  
 Painting, Paper Hanging & Decorating  
 Services  
 Paints, Varnishes, & Supplies  
 Parks, Playgrounds, & Playfields  
 Performance of Minor Repairs  
 Petroleum & Petroleum Products  
 Photo-finishing Services  
 Photographic Studios  
 Physically Handicapped Persons  
 Associations  
 Physicians' Offices & Clinics (Out  
 Patient Services Only)  
 Piece Goods, Apparel & Notions  
 Planetariums & Aquariums  
 Planning, Architectural & Engineering  
 Services  
 Playfields  
 Playfields (Commercial)  
 Playgrounds  
 Plumbing, Heating & Electrical  
 Contractors  
 Plumbing, Heating & Electrical Supplies  
 Police Department Facilities  
 Political Organization  
 Post Offices  
 Professional Associations  
 Profit-Making Business Schools  
 Protective Services & Detective Agencies  
 Psychologists & Psychotherapists  
 Public & Private Nursery Schools

Community Education  
 Building Materials/Farm Equipment  
 Personal/Group Care Facilities  
 General Retail Trade

Health Care Facilities  
 Consumer Repair Services  
 Medical Services

Transport & Warehousing  
 Automotive Repair/Cleaning  
 General Retail Trade  
 Construction Sales & Services

Wholesale Sales  
 Cultural/Recreational Services  
 Automotive Servicing  
 Wholesale Sales  
 General Business/Communication  
 General Personal Services  
 Personal/Group Care Facilities

Medical Services

Wholesale Sales  
 Cultural/Recreational Services  
 Financial, Consultative & Professional

Cultural/Recreational Services  
 Group Assembly  
 Cultural/Recreational Services  
 Construction Sales & Services

Building Materials/Farm Equipment  
 Administrative Services  
 General Business/Communication  
 Administrative Services  
 General Business/Communication Services  
 Administrative Services  
 General Business/Communications Services  
 Medical & Professional Services  
 Community Education

Public & Private Utility Corporations  
Pumping Facilities for Water &  
Sewer Systems

## R

Race Tracks (Auto, Motorcycle,  
Dog, & Horse)  
Radiator & Muffler Shops  
Radio & Television Broadcasting Studios  
Radio & Television Stores  
Radio & Television Transmission  
Facilities  
Railroad Yards & Other Transportation  
Equipment Marshaling & Storage Yards  
Railroad, Bus, & Transit Terminals  
Real Estate Brokers, Managers &  
Appraisers  
Recreational Centers  
Cultural/Recreational Services  
Recreational Vehicle & Utility Trailer  
Dealers  
Rediscount & Financing Institutions  
for Credit Agencies Other Than Banks  
Refrigerated Warehousing  
Refrigeration & Air Conditioning Repair  
Rehabilitation Centers  
Rental Agencies (Clothing)  
Replacement Items  
Research & Development Laboratories  
Restaurants  
Restaurants (Drive-in)  
Retail Bakeries  
Retail Nurseries, Lawn & Garden  
Supply Stores  
Retirement or Rest Homes  
Reupolstery & Furniture Repair  
Rights-of-Way for Transportation Modes  
Roofing & Sheet Metal Contractors

## S

Saddlery Repair Shops  
Sale & Installation of Tires, Batteries,  
Accessories & Replacement Parts  
Sales (Direct) Organizations

Extensive Impact Facilities  
Essential Services

Group Assembly

Automotive Repair & Cleaning  
General Business & Communication Services  
General Retail Trade  
Extensive Impact Facilities

Extensive Impact Facilities

Extensive Impact Facilities  
Financial, Consultative & Administrative Services

Community Assembly &

Vehicular/Craft & Related Equipment

Financial, Consultative & Administrative Services

Transport & Warehousing  
Consumer Repair Shops  
Health Care Facilities  
General Personal Services  
General Retail Trade  
General Business/Communication  
Food & Beverage Services  
Food Service Drive-In  
General Retail Trade  
Building Supplies & Farm Equipment

Personal & Group Care Facilities  
Consumer Repair Services  
Essential Services  
Construction Sales & Services

Consumer Repair Services  
Automotive Servicing  
General Retail Trade

Salvage Operations	Scrap Operations
Sanctuaries	Religious Facilities
Sanitary Landfill	Extensive Impact Facilities
Savings & Loan Associations	Financial, Consultative & Administrative Services
Schools (Kindergarten, Primary, Secondary)	Community Education
Scientists (Consulting)	Medical & Professional Services
Securities Commodities, Brokers, Dealers, & Exchanges	Financial, Consultative & Administrative Services
Secondhand Stores/Shops	General Retail Trade
Seed Storage & Sales	Building Materials/Farm Equipment
Self Service Gasoline Pumps	Convenience Commercial
Sewage Treatment Plants	Extensive Impact Facilities
Sewer Distribution/Collection Lines	Essential Services
Sewing & Piece Goods Stores	General Retail Trade
Schools (Business)	General Personal Services
Schools (Dancing)	Entertainment/Amusement Services/General Personal Services
Schools (Driving)	General Personal Services
Scientific/Educational Research Services	Medical & Professional Services
Shirt Shops	General Retail Trade
Shoe Repair Shops	Convenience Commercial & General Personal
Shoe Stores	General Retail Trade
Sheet Metal & Roofing	Construction Sales & Services
Single Room Occupancy Residential Facility (SRO)	Transient Habitation
Skating Rinks	Entertainment/Amusement
Songwriters & Music Arrangers	Medical & Professional Services
Special Training & Schooling Services	General Personal Services
Sporting Goods Stores	General Retail Trade
Sporting, Recreational, Photographic, & Hobby Goods	Wholesale Sales
Sports Arenas (Commercial)	Extensive Impact Facilities
Sports Apparel Stores	General Retail Trade
Stadiums, Sports Arenas, Auditoriums, & Bandstands	Extensive Impact Facilities
State, City, County & Federal Offices (Adult Bookstores)	Administrative Services
Stationery & Book Stores (excluding Swimming Pools & Beaches)	General Retail Trade
Synagogues	Cultural/Recreational Services
	Religious Facilities
T	
Tailors (Custom)	General Retail Trade

Telegraph Offices & Message Centers	General Business/Communication
Telephone Exchanges & Relay Towers	General Business/Communication
Telephone Switching Facilities	Essential Services
Television & Recording Production Studios	General Business/Communications
Television Transmission Facilities	Extensive Impact Facilities
Temples	Religious Facilities
Temporary Nonprofit Festivals	Community Assembly
Terminals (Bus)	Extensive Impact Facilities
Testing Laboratories (Commercial)	General Business/Communications
Theaters - Legitimate	Entertainment/Amusement
Theatrical Producers, Bands, Orchestras & Entertainers	Entertainment/Amusement
Tire Retreading & Repair Shops	Automotive Repair/Cleaning
Title Offices	Financial, Consultative & Administrative Services
Tobacco & Tobacco Products	Wholesale Sales
Tobacco Shops	Convenience Commercial & General Retail
Towing (Automotive) Services	Automotive Repair/Cleaning
Toys & Supplies	Wholesale Sales
Trading Stamp Services	General Business/Communication
Transit Terminals	Extensive Impact Facilities
Transmission Repair Shops & Tire Retreading	Automotive Repair/Cleaning
Truck & Bus Maintenance/Repair	Transport & Warehousing
Truck Terminals & Freight Handling Services	Transport & Warehousing
Truck Yards, including Storage Yards	Extensive Impact Facilities
U	
Undertakers	Undertaking Services
Uniform Stores	General Retail Trade
Upholstery & Furniture Repair	Consumer Repair Services
Upholstry, Curtain & Drapery Stores	General Retail Trade
V	
Variety Stores	General Retail Trade
Vegetable & Fruit Market/Store	General Retail Trade
Vehicular Minor Repairs	Automotive Servicing
Vehicular & Equipment Rental & Leasing Services	General Business/Communication
Veterinarian Clinics & Kennels	Animal Care/Veterinarian Services
W	
Warehouses	Transport & Warehousing

Watch, Clock & Jewelry Repair	Consumer Repair Services
Water Lines	Essential Services
Water Storage Facilities	Intermediate Impact Facilities
Water Treatment Plants	Extensive Impact Facilities
Wheel Alignment & Transmission Repair Shops	Automotive Repair/Cleaning
Women's Accessory & Specialty Stores	General Retail Trade
Women's Ready-to-Wear Store	General Retail Trade
Writers & Lecturers	Medical & Professional Services
Y	
Yacht Clubs	Intermediate Impact Facilities
Z	
Zoological & Botanical Gardens	Cultural/Recreational Services

## CHAPTER 3

### SIGN REGULATIONS<sup>1</sup>

#### SECTION

- 14-301. Purpose and scope.
- 14-302. Definitions.
- 14-303. General provisions.
- 14-304. Signs permitted in residential and agricultural districts.
- 14-305. Signs permitted in commercial and industrial districts by sign zone.
- 14-306. Temporary sign provisions.
- 14-307. Nonconforming and noncomplying sign provisions.
- 14-308. Administration and enforcement.
- 14-309. Legal status provision.

**14-301. Purpose and scope.** (1) Legislative purpose. The purpose of these regulations is to promote the well-being of the community by establishing standards that assure the provision of signs adequate to meet essential communication needs while safeguarding the rights of the people in the community to a safe, healthful and attractive environment. Within this overall framework, it is the intent of these regulations to:

- (a) Protect the right to the use of signs for the identification of activities and any related products, services and events, for effective use of signs as a means of communication and to provide non-commercial messages;
- (b) Protect the right of individuals to privacy and freedom from nuisances;
- (c) Protect the value of property and improvements thereon and the quality of life by enhancing the appearance of the streetscapes of the city;
- (d) Permit signs that are appropriate to their surroundings, aesthetically pleasing, appropriately scaled and integrated with the surrounding buildings and the landscape;
- (e) Assure that signs are constructed and maintained in a safe condition;
- (f) Encourage design that enhances the readability and effectiveness of signs while minimizing cluttered, distracting and/or illegible signs;
- (g) Prevent signs from interfering with traffic regulatory devices or otherwise obstructing motorist or pedestrian vision;

---

<sup>1</sup>Appendix B, Illustrations, may be found in the appendix at the end of this municipal code.

- (h) Reduce traffic hazards; and
- (i) Provide an efficient and effective means of administration and enforcement.

(2) **Scope.** Except for signs permitted in all districts in § 14-303(4) herein, these regulations shall apply to all signs and their appurtenances that are legible to a person of ordinary eyesight (with vision adequate to pass a state driver's license exam) standing at ground level at a location on the public right-of-way or on other private property except those located within and visible only from within enclosed courtyards or similar enclosures. The signs within Rivergate Mall or any similarly constructed mall shall be covered by this chapter and shall require a permit. The sign standards of the mall will be enforced.

These regulations shall not in any manner attempt to censure the written or depicted copy on any permitted sign.

(3) **Substitution clause.** Notwithstanding anything herein to the contrary, noncommercial copy may be substituted for commercial copy on any lawful sign structure. (2000 Code, § 14-301, as replaced by Ord. #09-724, Sept. 2011)

**14-302. Definitions.** For the purpose of this chapter the following definitions, terms, phrases, words, and their derivation shall have the meaning given herein.

(1) "Building face" or "wall." All window and wall areas of a building in one (1) plane or elevation.

(2) "Building marker." Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material that is architecturally compatible with the building.

(3) "City." When used herein shall mean the City of Goodlettsville, Tennessee.

(4) "Commercial complex." A building or group of buildings located upon a lot used or designed to be used for two (2) or more occupancies.

(5) "Commercial message." Any sign wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

(6) "Commercial facility." Facilities used for leisure and social purposes, including community centers and meetings places, community halls, community learning and leisure centers.

(7) "Copy." The wording or graphics on a sign surface.

(8) "Display surface area." The entire area within a single continuous perimeter enclosing the extreme limits of wording, representation, emblem, or any figure or similar character, together with any background materials, color, or area defined by a border or frame, any of which forms an integral part of the

display or serves to differentiate such display from the structure to which it is affixed.

(9) "District." A zoning district as defined and established by the Goodlettsville Zoning Ordinance. The zoning ordinance is published as a separate chapter.

(10) "Enforcing officer." The chief enforcing officer or official of the City of Goodlettsville appointed to enforce the terms of this chapter.

(11) "Establishment." A lawful entity, incorporated or unincorporated, that owns, rents, or leases space to conduct a commercial or noncommercial activity.

(12) "Flag." Any fabric or bunting containing distinctive colors, patterns or symbols, used a symbol of government, commercial or non-commercial activity as further defined below:

(a) Commercial flag means any flag that displays a commercial name, message, logo or symbol.

(b) Decorative flag means any flag that displays any holiday or seasonal insignia, design or message that does not include any commercial name, message, logo or symbol.

(c) Government/civic/non-commercial flag means any flag displaying a name, message, logo or symbol of any governmental, religious, civic or non-profit agency.

(13) "Height (of sign)." The vertical distance measured from the surrounding grade to the highest point of a sign.

(14) "Item of information." The name of a business, service, product, or individual.

(15) "Lot." A lot, parcel, or piece of land which meets the legal requirements for use as a lot under the adopted zoning ordinance.

(16) "Major street" or "thoroughfare." Any street shown as such on the official major thoroughfare plan.

(17) "Major street" or "thoroughfare plan." A plan for future streets and street rights-of-way adopted by the Goodlettsville Planning Commission.

(18) "Marquee." A permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection over a sidewalk from the weather.

(19) "Menu board." A sign designed for the display of menu items and prices for the purpose of placing orders for such items in conjunction with a restaurant utilizing drive-through or curbside service and not viewable from off the site.

(20) "Parapet." The portion of a building wall or false front that extends above the roofline.

(21) "Pennant." Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

(22) "Right-of-way." A strip of land dedicated for public use and including the paved travel way of a street and the adjoining land on either side of the paved area as identified by maps, plats, surveys or deeds. When a right-of-way cannot be determined, a minimum right-of-way of twenty-five feet (25') shall be assumed to be measured in each direction from the center line of the paved travel way.

(23) "Sign." Any writing (including letter, word or numeral), pictorial representation (including illustration or decoration); emblem (including device, symbol, or trademark); flag (including banner, streamer, or pennant); inflatable devices; or any other figure of similar character, which:

- (a) Is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building or other structure;
- (b) Is used to announce, direct attention to, advertise or communicate information of any kind; and
- (c) Is visible from outside of building.

(24) "Sign, abandoned." Any signs in which the functions of direction, message, and/or identification of a bona fide business, lessor, owner, product or activity conducted or products available are obsolete.

(25) "Sign, accessory." Any sign that directs attention to a person, activity, or commodity on the same zone lot. An accessory sign may also contain a non-commercial message.

(26) "Sign, animated." A sign that uses movement or change of lighting to depict action or create a special effect or scene.

(27) "Sign, banner." A sign having the copy applied to cloth, paper, flexible material or fabric of any kind with only such material for a backing.

(28) "Sign, building mounted." Any sign attached to or supported by any building or other structure that has a purpose other than solely to support a sign, except a sign attached to any upright pole or support when the sign is wider than said pole or support, which shall be considered a freestanding or pole sign.

(29) "Sign, canopy." A sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A canopy sign shall, for calculation of display surface area, be considered a wall sign. A marquee sign is not a canopy sign.

(30) "Sign, changeable copy." A sign designed so the copy can be changed while the display surface remains unchanged and includes such signs as manually or electronically changed characters, letters or illustrations and fuel price displays.

(31) "Sign, changeable - automated changeable copy." A sign or portion thereof that is visible from a public right-of-way and that displays letters, numbers, characters, symbols, graphics or illustrations:

- (a) Which are not themselves any illumination device, and

(b) Which may be changed or re-arranged by computer or microprocessor generated electronic commands, which commands may be programmed to change at pre-determined intervals or may be activated by an operator from either a proximate or a remote location.

Automated changeable copy signs include devices referred to as "flip matrix," "segmented," and other devices with substantially similar functionality and appearance.

(32) Sign, changeable - electronic graphic display." A sign or portion thereof that is visible from a public right-of-way and that displays electronic, static images, static graphics or static pictures, with or without textual information, which are created by matrix elements which may include cathode ray tubes (CRTs), light emitting diodes (LEDs), liquid crystals (LCDs), plasma, fiber optics, light bulbs or other illumination devices within the display area, or are created by any reflective, refractive, digital light processing (DLP), holographic, stereoscopic/three dimensional, or any other device, process, product, application of technology, or by the appearance of any of such, within the display area, either alone or in varying combinations with each other or other elements, where the message change sequence is accomplished immediately or by means of fade, repixelization, dissolve or other such modes devices, processes, products, applications or technologies. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays which may change automatically at predetermined intervals or be changed by an operator from either a proximate or a remote location. Electronic graphic display signs include images or messages with these characteristics which are projected by any means onto buildings, other objects or otherwise. A governmental traffic control sign shall not be deemed to be an electronic graphic display sign for purposes of this chapter.

(33) "Sign, changeable - manual changeable copy." A sign or portion thereof that is visible from a public right-of-way and:

(a) That has a fixed, permanent display surface on which letters, numbers, characters, symbols, graphics or illustrations which are not themselves any illumination device are manually placed, and which may be changed or re-arranged manually without altering the display surface or the support structure of the sign; or

(b) That has a fixed permanent display surface frame in or on which a display surface or sign face or message panel may be changed or re-arranged manually without altering the display surface frame or the support structure of the sign.

Manual changeable copy signs are signs generally used to display the same message for a relatively limited period of time, and include but are not limited to devices referred to as "reader boards," "menu boards," price signs with changeable plastic or metal objects, and off-site billboards.

(34) "Sign, changeable - multi-vision." A sign that is visible from a public right-of-way and that is composed in whole or in part of a series of

vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows the sequential display of one (1) of two (2) or more images on a single sign structure. May also be known as "tri-vision" signs.

(35) "Sign, changeable - video display." A sign or portion thereof, that is visible from a public right-of-way, with or without textual information, which is created by matrix elements which may include cathode ray tubes (CRTs), light emitting diodes (LEDs), liquid crystals (LCDs), plasma, fiber optics, light bulbs or other illumination devices within the display area, or are created by any reflective, refractive, digital light processing (DLP), holographic, stereoscopic/three dimensional, or any other device, process, product, application or technology, or by the appearance of any of such within the display area, either alone or in varying combinations with each other or other elements, that changes its message or image or background in a manner or method of display:

(a) Which includes the appearance of motion, movement or animation,

(b) Which depicts action or a special effect to imitate motion, movement or animation, or

(c) Which includes the presentation of light or images displayed in a progression of frames or other such so as to give the illusion of motion, movement or animation, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting or otherwise altering shapes.

Video display signs include images or messages with these characteristics which are projected by any means onto buildings, other objects or otherwise.

(36) "Sign, civic." A type of accessory sign that identifies or provides related information about community facility activity types as defined in the Goodlettsville Zoning Ordinance.

(37) "Sign, development." A type of incidental sign that conveys information about a future facility, the architect, the engineer, the contractor, the lending agency and/or the developer on a construction site.

(38) "Sign, directional." Any sign which provides information relative to safety identifying vehicular entrances and exits to parking lots or traffic circulation areas for activities. Directional signs may include logo, symbols or a business name and shall not exceed three (3) square feet in size or thirty inches (30") in height. Such signs shall be located on the private premises and only one (1) shall be installed per driveway.

(39) "Sign, directory." A sign which lists the names of individuals, businesses, or products available at a single site.

(40) "Sign, expressive." Any sign that expresses an opinion, feeling or point of view, such as political, ideological, religious, campaign, and good will

signs. Depending on its size, an expressive sign may be an incidental, temporary, or permanent sign.

(41) "Sign, externally illuminated." Any sign that is illuminated by lights or fixtures that is not internal to the sign.

(42) "Sign, flashing." A sign that uses an intermittent or flashing light source to attract attention.

(43) "Sign, ground." A sign permanently affixed to the ground by a foundation pedestal or other structure.

(44) "Sign, hand-tacked." A temporary sign, incidental, expressive or advertising a product or service, commonly attached, tacked, hung, or suspended from trees, utility poles, fences or other objects.

(45) "Sign, height." The vertical distance measured from the surrounding grade to the highest point of a sign.

(46) "Sign, incidental." An accessory sign intended primarily for the convenience or direction of the public, including accessory residential signs up to six (6) square feet that indicate name, address or home occupation; signs which give directions to churches, signs that indicate the types of credit available at a business; realty signs; signs with information that is warning in nature, such as "danger," "no trespassing" or "beware of dog"; signs indicating temporary events such as a garage sale or open house; and expressive signs up to six (6) square feet.

(47) "Sign, internally illuminated." Any sign that transmits light through its face or any part thereof.

(48) "Sign, marquee." Any sign attached to, in any manner, or made a part of a marquee.

(49) "Sign, nonconforming." Any existing sign which met all requirements for the sign at the time it was erected but which fails to meet the requirements of this chapter either by not being permitted within the district in which it is located or by not meeting the standards as specified in this chapter.

(50) "Sign, pole." A sign permanently affixed to the ground by means of one (1) or more poles, columns, uprights, or braces and not attached to a building.

(51) "Sign, portable." Any sign not permanently attached to the ground or a permanent structure or any sign designed to be transported, including but limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles or trailers parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

(52) "Sign, projecting." Any sign that:

(a) Is attached to a building wall in such a manner that its leading edge projects outward from the wall more than six inches (6"); or

(b) Is suspended from any structure that constitutes a covering or shelter such as a canopy, portico, or marquee.

Usually, though not always, the face of a projecting sign will be perpendicular to or from a wide angle with the surface to which it is attached.

(53) "Sign, residential identification." A type of accessory sign that indicates the name and/or address of a residential development and shall include a sign or signs at the principal entrance to any residential subdivision or planned unit development.

(54) "Sign, residential." Any sign located in any district zoned for residential uses that contains no commercial message except for goods and/or services that are legally offered on the premises where the sign is located. A residential sign may also be an expressive or incidental sign.

(55) "Sign, roof." Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure and extended vertically above any portion of the roof.

(56) "Sign, structure." A structure, including uprights, supports, frames, display surfaces, and other appurtenances, intended to support and display one (1) or more signs.

(57) "Sign, temporary." Any sign that is intended for temporary use for a limited period as permitted by this chapter.

(58) "Sign, wall." A type of building mounted sign that:

(a) Is attached to a wall (including parapet wall) or other structure that supports a roof, including any sign that is part of or attached to a canopy or awning, and any sign attached to any side face of a marquee, or that

(b) Does not project outward more than twelve inches (12") from the surface to which it is attached, and

(c) In which the sign face is parallel to the plane of the surface to which it is attached.

(59) "Sign, window." Any sign, pictures, symbols, or a combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

(60) "Travelway." That portion of a public right-of-way that is improved for use by self-propelled vehicles, including paved or gravel areas and any other area intended for vehicle movement or storage.

(61) "Political yard signage." A temporary yard sign, that expresses an opinion, feeling or support of view of a particular candidate or referendum.

(a) Signs may not be any larger than thirty-two (32) square feet.

(b) Signs may not be placed within the right of way of any street, road or highway.

(c) Signs cannot be located any closer than ten (10) linear feet from the edge of road and curb of any street, road or highway.

(d) No political sign may impede upon any sidewalk

- (e) No political sign may be illuminated.
- (f) Signs may not be attached to trees, street signs or public utility poles.
- (g) Signs may not be erected no more than ninety (90) days prior to the election date.
- (h) Signs are to be removed within three (3) days after the conclusion of the election. (2000 Code, § 14-302, as replaced by Ord. #09-724, Sept. 2011, and amended by Ord. #19-931, March 2019 *Ch4\_1-23-20*)

**14-303. General provisions.** The following requirements apply to all signs in all districts.

- (1) General standards. (a) No sign except for those specified in § 14-303(4) shall be erected until a permit has been obtained in accordance with § 14-308 of this chapter, said permit being required to determine that the proposed sign(s) will be in compliance with this chapter.
  - (b) No sign shall resemble or approximate the size, shape, form, or color of any official traffic control sign, signal, or device.
  - (c) No sign shall be placed so as to obstruct or interfere with the visibility or effectiveness of any traffic control sign or with driver vision at any access point to a lot or parcel from any public or private street or driveway.
  - (d) On any corner lot no sign shall be erected or placed in a manner to impede or obstruct vision between a height of two and one-half (2 1/2') and ten feet (10') above the center line grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street line fifty feet (50') from the point of the intersection.
  - (e) No sign other than those erected by or on behalf of a governmental entity, including governmentally authorized signs and signs required for public safety at construction sites shall be erected or maintained within any public street right-of-way.
  - (f) No sign shall be painted on or attached to any trees, rocks, fence posts, utility poles, or similar structures or objects.
  - (g) No sign shall obstruct any doorway, window, or fire escape.
  - (h) No wall or projecting sign shall extend above the roofline or parapet of any building.
  - (i) The light from any illuminated sign shall be so directed, shaded, or shielded that the light intensity or brightness shall not adversely affect surrounding or facing premises nor affect in any way the safe vision of operators of moving vehicles. Light shall not be permitted to shine or reflect on or into any residential structure.

(j) All motor vehicles, trucks, trailers and other types of equipment that have company logos or business signs attached to or painted thereon and which are regularly parked on the premises shall be confined to the portion of the property behind the building except while being loaded or unloaded. In the event parking behind the building is not possible, said vehicles, trailers and equipment shall be parked in as remote a location as possible away from the public streets or the public view. The parking of said vehicles with signs to augment tenant identification signage or to attract the attention of the public for the purpose of selling, advertising, displaying, demonstrating or for any other purpose related to promotion of business or other activity on the premises is prohibited.

(k) All electrical service to any sign mounted in any way on the ground or attached to the ground shall be placed underground. Electrical service to all other signs shall be concealed from the public view. All electrical service and connections shall meet the applicable electrical code.

(2) Sign maintenance. (a) Premises maintenance. All ground signs and any other type of sign and the premises surrounding same shall be maintained by the owner thereof in a clean, sanitary and inoffensive condition, and free and clear of all obnoxious substances, rubbish and weeds.

(b) Structure maintenance. Notwithstanding the aforesaid, all signs, together with all their supports, braces, guys and anchors, shall be kept in good, safe repair and, unless plastic, shall be galvanized or noncorroding metal, and shall be maintained in good and safe condition including the periodic application of paint or other weatherproofing material to prevent rust or other decay. The chief building official and/or representative may order the removal of any sign that is not so maintained in accordance with the provisions of this section. Such removal or expense incurred to assure compliance of this chapter shall be at the expense of the permittee or such owner of such sign or occupant or property owner where the same is situated or any one (1) or all of them who shall be jointly and severally liable for such expense.

(c) Display surface or other advertising surface maintenance. The display surface or other advertising material of a sign shall not be allowed to deteriorate to a broken, torn, peeling, flaking or otherwise decayed condition and shall be repaired or removed within ninety (90) days of receipt of notice mailed to the owner by certified mail, return receipt requested, from the chief building official ordering such repair or removal. If the owner fails to remove or alter the display surface so as to comply with the standards herein set forth within the time specified in such notice, such display advertising material may be removed or altered to comply with the requirements of this chapter. An appeal may be made

to overcome some exceptional condition which poses practical difficulty or particular hardship in such a way as to prevent an owner from repairing the sign.

(d) Banners, flags, pennants, streamers. Banners, flags, pennants and streamer signs shall not be allowed to deteriorate to a tattered, torn or faded condition and shall be attached properly at all times. The condition shall be repaired or removed within thirty (30) days of receipt of notice.

(3) Calculation of display surface area. (a) The supports or uprights and any covering thereon on which one (1) or more signs are mounted shall not be included in the display surface area.

(b) On signs in which the copy together with the background is designed as an integrated unit separate from the structure on which the sign is mounted, the display surface area shall be the total area within a perimeter that encloses the entire sign copy of background.

(c) On signs that do not have a distinct background separate from the structure on which the sign is mounted, the display surface area shall be the area within a continuous single perimeter composed of one (1) or more rectangles, circles, and/or triangles that enclose the extreme limits of the copy considered to be the sign.

(d) When two (2) sign faces of the same shape and dimensions are mounted back to back on the same sign structure and are either parallel or form an angle not exceeding thirty (30) degrees, only one (1) of the sign faces shall be used to compute the display surface area. If the angle of the sign faces exceeds thirty (30) degrees, then both faces shall be used to compute the display surface area.

(4) Height of signs and minimum sign setbacks. The following general rules shall apply in the determination of the height of signs and minimum sign setbacks.

(a) The height of any sign shall be measured to the topmost point of the sign or sign structure from the average grade level at the base of the supports or the base of any sign directly attached to the ground.

(b) The height of signs placed on berms, mounds, or similar landscape features or on hills or mounds left after a lot is graded shall be measured from the finished or established grade around such features.

(c) All signs ten feet (10') and less in height shall include a minimum setback of five feet (5') from the street right-of-way line. All signs exceeding ten feet (10') in height up to twenty feet (20') in height shall include a minimum setback of ten feet (10') from the street right-of-way line. All signs exceeding twenty feet (20') in height when permitted by other provisions of this chapter shall meet the minimum setback of twenty (20') feet from the street right-of-way line. These

minimum setback requirements shall not conflict with other sections of the zoning ordinance that include defined sign setbacks.

(d) The setback shall be measured from the closest point of the edge of the sign or sign support structure to the street right-of-way line.

(5) Signs permitted in all districts. The following signs are permitted in all districts and do not require a permit except as specifically noted.

(a) Official federal, state, or local government traffic, directional, or informational signs and notices issued by the court, person, or officer in the performance of an official public duty;

(b) Temporary signs warning of construction, excavation, or similar hazards so long as the hazard may exist;

(c) Signs in the nature of decorations which are seasonal, clearly incidental and customarily associated with any national, local, or religious holiday, celebration or special event of local significance;

(d) Commemorative or historical plaques and tablets;

(e) The official flag of a government, governmental agency, public institution, religious corporation, or other similar entity, or flags flown on a temporary basis for the purpose of honoring declared national or civil holidays. Flags may also be used as a part of a professionally designed and permanently maintained and landscaped entrance or design feature of a residential or commercial development provided that the number of flags shall not exceed three (3). Flags mounted on poles shall meet the height and size requirements of the district in which they are located.

(f) Incidental signs subject to the following restrictions:

(i) Political signs shall be removed no more than three (3) days after the election;

(ii) Yard or garage sale signs shall be removed within one (1) day after the sale;

(iii) Expressive signs shall be removed within three (3) days after an election, campaign, or event but in no case shall be erected for longer than ninety (90) days.

(g) Street names and addresses stamped or painted on mailboxes or on nameplates attached to the principal building;

(h) Directional signs;

(i) Works of art that do not include any commercial messages, symbols, or references.

(6) Signs prohibited in all districts. The following signs or types of signs are prohibited in all districts and are hereby declared to be illegal.

(a) Any sign that is abandoned, deteriorated, unsafe, or not otherwise identified as defined in this chapter. An abandoned sign shall be removed within thirty (30) days of the notification of the owner of the property of the violation.

(b) Any sign which is painted on or attached to a vehicle or vehicular trailers unless such vehicle is in operable condition, carrying all current and valid licenses, and used primarily for the transportation of goods and/or persons in the everyday and ordinary course of business of the owner thereof. Any sign constructed in the bed of a pick-up truck advertising the identity of a business or products available on or off the premises shall be included herein as a prohibited sign.

(c) Signs which are made structurally sound by guy wires or unsightly bracing;

(d) Signs which contain any kind of strobe or pulsating lights;

(e) Animated signs;

(f) Banner signs except as permitted in § 14-306;

(g) Any sign with direct illumination provided by exposed bulbs or lamps;

(h) Flashing signs;

(i) Hand-tacked signs;

(j) Portable signs;

(k) Roof signs;

(l) Inflatable signs, tethered balloons containing a message or other inflatable devices;

(m) Any sign that exhibits statements, words or pictures of an obscene nature, as defined by the United States Supreme Court. (2000 Code, § 14-303, as replaced by Ord. #09-724, Sept. 2011, and amended by Ord. #19-958, Nov. 2019 *Ch4\_1-23-20*)

**14-304. Signs permitted in residential and agricultural districts.**

Within the residential and agricultural districts as delineated by the Goodlettsville Zoning Ordinance, permanent accessory signs are permitted subject to the provisions as set forth herein.

(1) Community facility signs. (a) A community facility may have one (1) ground sign and one (1) wall sign on the wall that faces a public street or that contains the principal entrance.

(b) A ground sign shall not exceed four feet (4') in height and twenty-five (25) square feet in size. Ground signs which are integrated into an attractive brick, stone, or wood architectural feature or an earth berm, all of which shall be permanently landscaped, may exceed four feet (4') in height to a maximum of seven feet (7').

(c) A wall sign shall not exceed twenty-five (25) square feet in size.

(d) Signs which are internally illuminated shall not exceed ninety foot (90') lamberts in brightness. In no event shall the light from any sign exceed one-half (1/2) foot-candle at the property line.

(2) Development signs. (a) A development sign may be located at the major entrance to a new development. Said sign shall be removed within

one (1) year of the approval of the development by the planning commission, provided that in the case of a multi-year development the time for removal may be extended by the enforcing officer one (1) additional year for each year the development is under continuous construction. Such sign may be either a pole or ground sign.

(b) A development sign shall not exceed thirty-two (32) square feet in size or fifteen feet (15') in height.

(c) A development sign shall not be lighted.

(3) Residential entrance identification signs. (a) Residential identification signs may be permitted at the entrance(s) to a subdivision or to a planned unit or multi-family development subject to the approval of the planning commission at the time final plans are reviewed.

(b) Two (2) signs may be permitted, one (1) on either side of the entrance if both are on private property located in a joint user access easement or private platted sign easement.

(c) Residential identification signs shall be integrally designed as a part of an attractive brick, stone or similar material architectural feature, permanently constructed and maintained wall, fence or similar feature, or shall be a ground sign. All such areas shall be attractively landscaped.

(d) The maximum display surface area of a residential identification sign shall not exceed twenty-five (25) square feet in size.

(e) The maximum height of such signs shall be seven feet (7').

(f) All residential identification signs and the attendant landscaped area shall be owned and maintained either by the owner/developer or by a legally established property owners association.

(g) Any lighting on such signs shall be integrated into the entrance feature and shall be subdued and shall light only such sign. No light shall shine or reflect on or into any residential structure.

(4) Residential signs. (a) Any single- or two-family residential activity or any vacant parcel may have one (1) residential sign that may be located anywhere on the lot of the activity.

(b) A residential sign shall not exceed six (6) square feet in size.

(c) Residential signs shall not be illuminated in any way. (2000 Code, § 14-304, as amended by Ord. #08-713, June 2008, replaced by Ord. #09-724, Sept. 2011, and amended by Ord. #19-958, Nov. 2019 *Ch4\_1-23-20*)

**14-305. Signs permitted in commercial and industrial districts.**

Within the commercial districts, commercial and office planned unit development districts and industrial districts, as delineated by the Goodlettsville Zoning Ordinance and Map, there are hereby created herein three (3) sign zones which shall overlay said zoning districts. These zones shall be the city sign zone, the mall sign zone and the interchange sign zone. Additional

regulations are established for commercial and office planned unit development districts. Accessory signs are permitted subject to the standards and provisions as set forth herein.

(1) City sign zone. The city sign zone is established as being all of the commercial or industrial districts that are located outside of the interstate or mall sign zones. Within the city sign zone, the following provisions shall apply.

(a) Projecting signs are permitted subject to the following standards:

(i) A use may be permitted to have one (1) projecting sign attached to the front of the building.

(ii) Such sign shall not exceed forty (40) square feet in display surface area.

(iii) Such sign shall not project into the public right-of-way more than six feet (6') provided that in no case shall such sign be closer than two feet (2') from the curb or edge of pavement of the travelway.

(iv) Such sign shall not exceed twenty feet (20') in height measured from the bottom of the sign provided that in no case shall such sign extend above the roof line of the building to which it is attached.

(v) Such sign shall clear the established grade a minimum of ten feet (10').

(vi) Such sign shall be no closer than twenty feet (20') to any other projecting sign.

(b) Wall signs are permitted subject to the following standards:

(i) The display surface area of such sign shall not exceed ten percent (10%) of the square footage of the wall to which it is attached up to a maximum of two hundred (200) square feet.

(ii) Such signs may be located on any wall facing properties in commercial or industrial zones. Wall signs shall not be located on any wall facing properties in residential or agricultural districts.

(iii) Such sign shall not extend above the roofline of the building to which it is attached or the parapet nor shall such sign project outward from the building more than six inches (6"). Any parapet constructed as a part of the building wall or added to an existing building shall match the architecture of the building, be of the same thickness and be on the same plane as the wall of which it is a part. Parapets or additions thereto shall not be braced back to the roof.

(iv) Such sign placed in the horizontal space between windows of a two-story building shall not exceed in height more than two-thirds (2/3) of the distance between the top of the window below and the sill of the window above.

(v) Such sign shall not cover or interrupt major architectural features of the building. Architectural features or details shall not be removed to accommodate a sign.

(vi) If a use utilizes both wall and projecting signs, the total display surface area shall not exceed eighty (80) square feet.

(vii) Signs attached to the inside of windows and intended to be visible from the exterior of the building shall not be counted as a wall sign; provided, however, that such window signs shall not cover more than twenty-five percent (25%) of any window.

(viii) Any canopy sign shall be included in the calculations for total permitted sign area for wall signs and deducted from the total. A canopy sign may be internally illuminated or have back lighting.

(c) Pole or ground signs are permitted subject to the following standards:

(i) A use shall be permitted to have one (1) ground or pole sign for each street frontage. In the event a street frontage is in excess of two hundred fifty feet (250') in length, one (1) additional such sign shall be permitted with a minimum separation of one hundred feet (100') between the signs.

(ii) Such sign shall have a maximum display surface area of fifty (50) square feet.

(iii) The maximum height of a ground sign shall be four feet (4'). Ground signs which are integrated into an attractive brick, stone, or wood architectural feature or an earth berm, all of which shall be permanently landscaped, may exceed four feet (4') in height to a maximum of seven feet (7').

(iv) The maximum area of a pole sign including no more than two (2) signs shall be seventy (70) square feet total and the maximum area of a ground sign including no more than two (2) signs shall be fifty (50) square feet total. Any changeable copy sign shall be limited to no more than fifty percent (50%) of the total sign square footage.

(v) Any changeable copy sign may be electronically or mechanically controlled. Such sign shall not flash on and off, scroll across the copy area or change colors sporadically. The display of the message must be static for a minimum of eight (8) seconds. When copy changes occur, they must change instantaneously with no phasing, scrolling, flashing or any other characteristic which imitates movement. Signs installed within two hundred feet (200') of a signalized or planned signalized intersection shall require the message to remain static for a minimum of two (2) minutes. The illumination of an electronic changeable copy sign shall not exceed 0.3 foot candles over ambient lighting conditions, day or night.

Measurement shall be as prescribed in the document "Recommended Brightness Levels for On-Premises Electronic Message Centers" published by the International Sign Association. All electronic signs shall be equipped with a sensor device that automatically determines the ambient illumination and each electronic sign shall be programmed to dim in accordance with ambient illumination conditions. Maximum illumination from dusk to dawn shall not exceed five hundred (500) nits. A malfunctioning sign shall be programmed to shut down. Sign shall not be installed within one hundred (100') feet of a residential zoning district measured in a straight line.

(d) The following provisions and standards shall apply to commercial complexes.

(i) A commercial complex may be permitted one (1) pole or ground sign for each street frontage identifying the name of the complex or business. In the event a street frontage is in excess of two hundred fifty feet (250') in length, one (1) additional such sign shall be permitted with a minimum separation of two hundred feet (200') between the signs. The maximum size of each such sign shall be a ratio of one-half to one ( $1/2$  to 1) of square footage of sign area to the length of the street frontage or the front facade of the building, whichever is greater, with a maximum display surface area of one hundred (100) square feet. In the event the above ratio results in a sign less than fifty (50) square feet in size, then a minimum size sign of fifty (50) square feet shall be permitted.

A sign setback of ten feet (10') from the street right-of-way line shall be observed. Between a distance of ten feet (10') and twenty feet (20') from the street right-of-way line, all signs shall be ground signs. The maximum height of a ground sign shall be four feet (4'). Ground signs which are integrated into an attractive brick, stone, or wood architectural feature or an earth berm, all of which shall be permanently landscaped, may exceed four feet (4') in height to a maximum of seven feet (7'). Pole signs are permitted subject to a minimum setback from the street right-of-way line of twenty feet (20'). The maximum height of pole sign shall be thirty feet (30').

(ii) Additional signage may be permitted on the building(s) within the complex and shall be either wall signs, projecting signs or signage painted on glass windows or a combination thereof. Such signage shall be in scale with the size of the wall of the building upon which it is located and be architecturally compatible. The display surface area of such signage shall not exceed ten percent (10%) of the square footage of such wall and may be apportioned for multiple occupants with

each occupant being entitled to an equal share of the display surface area. Signs attached to the inside of windows and intended to be viewed from the exterior of the building shall cover no more than twenty-five percent (25%) of such window.

Wall or projecting signs shall be subject to the requirements of § 14-305(1)(a) and (b) above.

(iii) In lieu of a pole or ground sign identifying the name of the complex, such commercial complex may utilize a directory sign identifying individual occupancies subject to the same size requirements as in paragraph (i) above with each occupant being entitled to one (1) directory panel.

(iv) A directory sign listing the names of individual businesses or occupancies may be permitted at the entrance to the parking lot or at the entrance of each building. The maximum display surface area shall not exceed ten (10) square feet and the maximum height shall be six feet (6').

(v) A commercial complex may also be permitted entrance identification signage. Two (2) signs may be permitted, one (1) on either side of the entrance, and both shall be on private property in a joint user access easement or private platted sign easement. All such signs shall be integrally designed as a part of a permanently constructed and maintained brick, stone, or wood architectural feature or earth berm, all of which shall be permanently and attractively landscaped and privately maintained. No such sign shall exceed twenty-five (25) square feet in size nor seven feet (7') in height.

(e) Signs may be internally or externally illuminated subject to the following standards:

(i) Exposed bulbs are prohibited.

(ii) No sign shall change color or intensity.

(iii) The brightness and surface illumination shall not exceed:

Internal illumination - 150 foot lamberts

External illumination - 50 foot candles

(iv) In no event shall the light from any illuminated sign exceed one-half (1/2) foot candle at the property line of any lot that is zoned residential or agricultural.

(v) The light from any illuminated sign shall be shaded, shielded, or directed so that the light intensity or brightness shall not adversely affect the surrounding or facing premises nor adversely affect safe vision of operators of vehicles moving on public or private streets or parking areas. Light shall not shine or reflect on or into any residential structure.

(f) This section shall apply only to those uses engaged in the retail petroleum and petroleum products business. In addition to the requirements in § 14-305(1), the following provisions shall apply:

(i) One (1) permanent price sign per street frontage. Such sign shall be affixed to or made a part of the permitted pole sign and shall not exceed twenty (20) square feet in size. Such sign shall be set back from the right-of-way a minimum of ten feet (10').

(ii) Two (2) non-illuminated self-service or full-service signs per pump island may be displayed. Such signs shall not exceed one hundred sixty (160) square inches per sign and shall be located at the ends of the pump island.

(iii) Federal and state stamps, octane ratings, pump use directions, prices, and no smoking signs as required by federal, state, and local authorities may be displayed. Such signs shall be located on the body of the pump.

(iv) Petroleum product pumps or dispensers may display signs on the pumps not to exceed two (2) square feet and designed to be viewed by customers operating the pumps.

(g) This section shall be applicable only to movie houses or theaters. The following additional provisions shall apply:

(i) In lieu of a wall sign or in combination therewith, a marquee sign may be permitted. Such marquee may project over a private sidewalk or driveway but not over a public right-of-way. Such marquee structure shall be permanently attached to the principal building.

(ii) Where the building contains more than one (1) theater, additional display surface area may be permitted up to a maximum of fifty (50) square feet of sign area for each theater. This sign area shall be in addition to an identification sign for the theater(s).

(2) Interchange sign zone. Within the area of the interchanges of I-65 and Rivergate Parkway, Long Hollow Pike, and U.S. 31W identified as "Interstate Sign Zone" as shown on the attached maps, the following provisions shall apply and be in addition to and supplement § 14-305(1). All other pertinent provisions of § 14-305(1) remain as applicable.

(a) Signs installed under this section, the maximum height for a pole sign shall be sixty feet (60') and the minimum height shall be forty feet (40') and the pole sign is to be located between the back of the primary building and the rear property line unless the property contains site limitations that prevent the sign installation and if the sign location would create limited sign visibility as determined during site plan review.

(b) The maximum display surface area for a pole sign shall be one hundred seventy-five (175) square feet. Such display surface area shall include all permitted signage such as changeable copy and price signs. Any changeable copy sign shall be limited to no more than fifty percent (50%) of the total sign square footage, except that any changeable copy sign within one hundred fifty feet (150') of the interstate

right-of-way may be one hundred percent (100%) of the sign square footage.

(c) Wall signs shall be a maximum size of fifteen percent (15%) of the area of the wall upon which they are mounted.

(d) A maximum of one (1) pole sign shall be permitted on a property and any additional non-building sign permitted based on property frontage shall be a ground sign.

(3) Mall sign zone. Within the area along Rivergate Parkway and in the vicinity of Rivergate Mall identified as the "Mall Sign Zone" as shown on the attached map, the following provision shall apply and be in addition to and supplement § 14-305(1) above. All other pertinent provisions of § 14-305(1) remain as applicable. The maximum display surface area for a pole sign shall be one hundred (100) square feet. All other pertinent provisions of § 14-305(1) remain as applicable.

(4) Other signs. Vacant parcels of land may have erected thereon one (1) sign of any type that is not otherwise prohibited by § 14-303(6). The maximum size sign shall be twenty (20) square feet, and the maximum height shall be ten feet (10'). All other pertinent provisions of § 14-305(1) remain as applicable.

(5) Commercial planned unit development districts. (a) Within the GOPUD and ROPUD districts, the following standards for accessory signs shall apply. Accessory business and civic signs are permitted as follows:

(i) A lot or site may be permitted one (1) pole or ground sign for each street frontage identifying the building, establishment or office complex. In the event a street frontage is in excess of two hundred fifty feet (250') in length, one (1) additional such sign may be permitted. The maximum size of each such sign shall be fifty (50) square feet. The maximum height of any pole sign shall be twenty feet (20'). The maximum height of a ground sign shall be four feet (4'). Ground signs which are integrated into an attractive brick, stone, or wood architectural feature or an earth berm, all of which shall be permanently landscaped, may exceed four feet (4') in height to a maximum of seven feet (7').

(ii) An office complex may, in lieu of the above, be permitted entrance identification signage. Two (2) signs may be permitted, one (1) on either side of the entrance, and both shall be on private property. All such signs shall be integrally designed as a part of a permanently constructed and maintained brick, stone, or wood architectural feature or earth berm, all of which shall be permanently and attractively landscaped. No sign shall exceed twenty-five (25) square feet in size nor seven feet (7') in height.

(iii) Where more than one (1) building is located on a lot or within an office complex, each building may be permitted an identification sign. Such signage may be located flat against the wall of the building and shall not exceed ten (10) square feet in size, or may be a ground sign and shall not exceed eight (8) square feet in size or three feet (3') in height.

Each business within an office building may be permitted an identification sign which may be attached to the wall of the building or be painted onto glass entrances and shall not exceed five (5) square feet.

Any wall or projecting signs shall be subject to the requirements of § 14-305(1)(a) and (b) above.

A directory sign identifying individual businesses may be permitted at the entrance to the parking lot of an office building or at another suitable location. The letters within such sign shall not exceed three inches (3") in height. The maximum height shall be four feet (4').

All signs shall be designed to be compatible with the architecture of the building(s) and with the character of the development as determined by review of the planning commission.

(iv) The illumination standards contained in § 14-305(1)(e) shall apply.

(b) Within the commercial CPUD and CPUDL districts, the sign standards in § 14-305(1) shall apply; provided however, that the planning commission may impose, as a part of the approval of the master plan, additional design requirements and/or more restrictive standards to assure compatibility with the style of the building and the character of the area. (2000 Code, § 14-305, as replaced by Ord. #09-724, Sept. 2011, and amended by Ord. #16-863, May 2016 Ord. #16-879, Oct. 2016, and Ord. #19-958, Nov. 2019 *Ch4\_1-23-20*)

**14-306. Temporary sign provisions.** Temporary signs shall be permitted for any lawful activity on a lot or parcel subject to the provisions set forth herein.

(1) General requirements. (a) A permit shall be required for all temporary signs.

(b) Banners may be used as temporary signs provided that such banners shall be securely affixed to the principal building.

(c) One (1) temporary sign may be permitted for each two hundred fifty feet (250') of street frontage on a public street.

(d) All such signs shall be securely installed or fastened and positioned in place so as not to constitute a hazard of any kind.

(e) No temporary sign shall be displayed on a roof.

(f) No temporary sign shall be permitted to project into or over any public street right-of-way, except a banner announcing a fair, festival, parade, or similar activity that will be open to the public.

(g) Temporary signs are permitted at construction sites for the purpose of identifying names of contractors, consultants, etc., and shall be limited to four (4) items of information.

(h) Temporary development signs are permitted to announce the name, developer, and type of development for a new development which has approval of either a site or preliminary master plan.

(2) Duration of temporary signs. Display of temporary signs shall be limited as follows:

(a) Construction signs permitted in § 14-306(1)(g) above shall be removed upon completion of the project.

(b) Signs for special events open to the general public shall be limited to forty-five (45) days.

(c) Signs for special sales or business promotions shall be limited to thirty (30) days.

(d) Display of all temporary signs on a lot or parcel except for those in § 14-306(2)(a) above shall be limited to a maximum of ninety (90) days per calendar year.

(e) Temporary development signs shall be limited to period of time that the project is under development.

(3) Display surface area, height, and illumination. (a) Maximum display surface area shall be thirty-five (35) square feet except for banner signs that have been specifically authorized by the board of commissioners, which shall not be limited.

(b) Maximum height shall be twelve feet (12') except that banner signs displayed over a public street shall have a minimum clearance of fifteen feet (15').

(c) Temporary signs shall not be illuminated except in commercial or industrial districts.

(d) The maximum display surface area for a temporary development sign shall be fifty (50) square feet.

(4) Location of temporary signs. (a) No temporary sign shall be located closer than ten feet (10') from any public right-of-way or the front building line whichever is less.

(b) The minimum distance between any two (2) such signs on the same lot shall be one hundred fifty feet (150').

(c) No temporary sign shall be closer than fifty feet (50') from any permanent sign. (2000 Code, § 14-306, as replaced by Ord. #09-724, Sept. 2011)

**14-307. Nonconforming sign provisions.** Any sign lawfully existing at the time of the enactment of this chapter but which is not permitted either

by type of sign, location, or district, or which fails to meet the standards on regulations shall be classified as a nonconforming as per definitions. The continued use of nonconforming signs shall be governed by the regulations included herein. Any billboard type advertising sign that is regulated under the Federal Highway Beautification Act and oriented to a federal highway shall be governed by the federal regulations provided however that local regulations shall apply to the extent they are not in conflict with federal law. A non-conforming sign within one hundred fifty feet (150') of the interstate right-of-way may include the entire sign square footage to be a changeable copy sign with electronic images. Any request to convert an existing changeable copy to a changeable copy signage including electronic images facing within five hundred feet (500') of a residential zoning district (excluding agricultural zoning districts), the sign face shall not be illuminated between the hours of 12:00 A.M. and 6:00 A.M.

(1) Continuation of use. A nonconforming sign may continue to be used for the duration of the use or activity that is located on the property.

(2) Alterations to nonconforming signs. A nonconforming sign may be altered subject to the following conditions.

(a) The proposed alteration is not greater than fifty percent (50%) of the total sign structure or alteration costs are not greater than fifty percent (50%) of its current replacement cost. In the event the proposed alteration is greater than fifty percent (50%) of the above conditions, the sign shall be brought into compliance with current regulations.

(b) The total copy of any sign may be changed in accordance with normal business practices.

(c) The proposed alteration conforms to the provisions of this chapter.

(d) No new nonconformity is created.

(3) Damage or destruction of nonconforming signs. When any such sign is damaged or destroyed from any cause to the extent of fifty percent (50%) of the sign structure or to the extent of fifty percent (50%) of its depreciated value at the time of its damage or destruction, the sign shall be removed or otherwise made to conform or comply with all appropriate provisions of this chapter.

(4) Change of use. Whenever the use of a property or building or part thereof changes, including but not limited to: redevelopment of the site or alteration or remodeling of the structure; all nonconforming signs shall be removed and the site shall be brought into compliance. (2000 Code, § 14-307, as replaced by Ord. #09-724, Sept. 2011, and amended by Ord. #16-879, Oct. 2016)

**14-308. Administration and enforcement.** (1) Enforcing officer. The administration and enforcement of this chapter is vested with the city manager or his/her designee. Said official shall have the power to issue permits and

make inspections of all signs and premises where signs are situated or to be situated thereon and make such other inspections as are necessary to carry out this chapter. Full authority to enforce any and all provisions of this chapter is hereby granted to said official.

(2) Permits, signage plan and fees. (a) Prior to the installation, erection, or modification of any permanent or temporary sign permitted by this chapter, with the exception of those permitted without a permit, the business owner or sign contractor shall obtain a sign permit in accordance with the terms of this chapter.

(b) An application for a sign permit shall be made upon forms provided by the enforcing officer. The application shall be accompanied by a signage plan for the lot which shall include all signs, existing and proposed. The review of the plan application for a sign permit shall be for the purpose of determining if all proposed signs meet the size, location, height and similar requirements of this chapter. The enforcing officer shall approve or disapprove the signage plan within thirty (30) days after its submittal, and if disapproved, shall state the reasons for the disapproval in writing. After approval of the plan, the permit shall be issued in a timely manner.

(c) For any lot on which the owner proposes to erect any sign requiring a permit, a signage plan shall be submitted containing the following:

- (i) An accurate plot plan of the lot;
- (ii) Location of all buildings on the lot;
- (iii) Computations of the total sign area, the area of individual signs, height and dimensions of individual signs, and locations of signs on the lot and/or buildings;
- (iv) Standards for consistency among all signs on the lot and/or buildings with regard to color scheme, graphic style, lighting, material, location on buildings, and proportions;

(d) The signage plan may contain such other restrictions as the owner of the property may determine which are in conformity with the provisions of this chapter and shall be signed by all owners of the property.

(e) A signage plan may be amended by filing a new plan with the enforcing officer that conforms to all requirements of this chapter.

(f) After approval of a signage plan by the enforcing officer, no sign shall be erected, placed, painted, or maintained, except in conformance with such plan, and such plan may be enforced in the same way as any provision of this chapter. In case of any conflict between the provisions of this chapter and the provisions of any sign plan, the chapter shall control.

(g) The application for the sign permit shall contain the following:

(i) Name, address, and phone number of the property owner;

(ii) Name of persons or firms erecting the sign and all structures;

(iii) Written consent of the owner of the building or property, if different from the applicant, where such sign is to be erected or attached.

(h) The permit fee shall be as established by resolution of the board of commissioners. Said fee may cover all signs included on the plan or may apply to any sign being changed.

(i) A sign permit shall become null and void if construction has not begun within three (3) months of the date of issuance of the permit.

(3) Exceptions. Any sign permitted to be erected without a permit as stipulated in § 14-303(5) shall be exempt from the payment fees.

(4) Appeals. Any person aggrieved by any action of the enforcing officer in denying or issuing a sign permit as herein described may, within thirty (30) days, appeal for a variance or other relief in writing to the board of sign appeals through the enforcing officer. Action on any permit, the issuance of which has been appealed, shall be suspended pending final decision of the said board on the appeal. The board may set such appeal for public hearing giving such notice to the public or to persons concerned with such appeal as the board deems advisable and in keeping with state law.

(5) Creation of the board of sign appeals. There is hereby created a board of sign appeals. Said board shall consist of five (5) members appointed by the mayor for a term of four (4) years. Members shall first be appointed for terms of one (1), two (2), and three (3) years with two (2) members receiving a two (2) year term and two (2) members a three (3) year term. The board shall elect a chairman from its members.

The city shall provide a secretary to keep all records of the board.

(6) Powers and duties of the board. The board of sign appeals shall have the following powers and duties:

(a) To hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, decision, determination, or refusal made by the enforcing officer.

(b) To hear and decide requests for variances from the provisions of this chapter.

(7) Standards for appeal decisions. Before granting any relief from the application of the provisions of this, the board shall make specific findings of fact justifying the case under appeal.

(a) For a finding of error, the board shall state the section of the ordinance that is being appealed and how the enforcing officer erred in the application of the ordinance requirements.

(b) For an action granting a variance, the board shall state the provisions being varied and shall grant the minimum variance to satisfy

the relief of hardship, and shall state the specific hardship which justifies the variance.

The board shall not grant a variance unless it makes findings based upon evidence presented to it as follows:

(i) The particular physical surroundings, shape, or topographic conditions of the specific property involved that would result in an exceptional hardship upon the owner as distinguished from an inconvenience.

(ii) The conditions upon which the petition for a variance is based would not be applicable to other similarly situated properties.

(iii) The hardship has not been created by any person having an interest in the property.

(iv) Financial returns only shall not be considered as a basis for granting the variance.

(v) The variance will not be detrimental to the public welfare, injurious to other property, or to the intent and spirit of this chapter.

(vi) The variance does not confer a special privilege to the applicant that is denied to others.

(c) Under no circumstances shall the board grant a variance to allow a sign which is not permitted by this chapter.

(d) The board may impose such conditions and restrictions upon the premises benefitted by the variance as may be necessary to reduce or minimize any injurious effect upon adjoining uses or property, and to better carry out the general intent of this chapter.

(8) Violations and penalties. Any person, firm, or corporation violating any provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined as provided by law. Each day that a violation continues shall be considered a separate offense and an additional violation.

The owner, tenant, or occupant of any building, structure, premises, or any part thereof, and any contractor, builder, architect, engineer, agent, or other person who commits, aids or participates in, or maintains such violation may be found guilty of a separate offense and suffer the penalties as provided herein.

Whenever a violation involves a temporary sign, such sign shall be removed within ten (10) days of the date of the notice of violation. (2000 Code, § 14-308, as replaced by Ord. #09-724, Sept. 2011)

**14-309. Legal status provision.** (1) Exercise of police power. This entire chapter shall be deemed and construed to be an exercise of the police power of the City of Goodlettsville, Tennessee, adopted under the authority of Tennessee Code Annotated, §§ 6-19-101 and 6-20-205, for the preservation and protection of the public's health, safety, morals, and general welfare, and pursuant to all other powers and authorities for the aforesaid purposes, and all

of its provisions shall be liberally construed with a view toward effectuation of such purposes.

(2) Severability. If any section, clause, provision, or portion of this chapter is 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 chapter which is not of itself invalid or unconstitutional.

(3) Conflict with other ordinance. In case of conflict between this chapter or any part hereof, and the whole or part of any existing or future ordinance of the city, the most restrictive provision shall in all cases apply.

(4) Repeal of other sign provisions. The adoption of this chapter shall repeal all provisions, regulations, and references for signs contained in Ordinance No. 91-450 known as the Goodlettsville Sign Ordinance adopted as a part of title 14 of the Goodlettsville Municipal Code.

(5) Interpretation. Words herein in the singular number shall include the plural, the present tense shall include the future, and the masculine gender shall include the feminine and neuter.

(6) Effective date. This chapter shall take effect and be in force from and after its passage, the public welfare demanding it. (2000 Code, § 14-309, as replaced by Ord. #09-724, Sept. 2011)