

TITLE 14

ZONING AND LAND USE CONTROL

CHAPTER

1. [REPEALED.]
2. ZONING ORDINANCE.
3. AIR POLLUTION CONTROL.
4. MUNICIPAL PLANNING COMMISSION.
5. STORMWATER RUNOFF REGULATION AND CONTROL.
6. MOBILE HOME ORDINANCE.
7. LANDSCAPE ORDINANCE.
6. MULTI-MODAL TRANSPORTATION STANDARDS.

CHAPTER 1

[REPEALED]

SECTION

14-101. [Repealed.]

14-101. [Repealed.] (1977 Code, § 11-101, as repealed by Ord. #699, Sept. 2008)

CHAPTER 2

ZONING ORDINANCE

SECTION

14-201. Land use to be governed by zoning ordinance.

14-201. Land use to be governed by zoning ordinance. Land use within the City of Collegedale shall be governed by the "Zoning Ordinance of the City of Collegedale, Tennessee," and any amendments thereto.<sup>1</sup>

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<sup>1</sup>The zoning ordinance and any amendments thereto, are published as separate documents and are of record in the office of the city recorder.

CHAPTER 3

AIR POLLUTION CONTROL

SECTION

14-301. Air pollution control ordinance adopted.

14-301. Air pollution control ordinance adopted. Air pollution prevention, abatement and control within the City of Collegedale shall be governed by Ordinance Number 300, April 1993, and any amendments thereto.<sup>1</sup>

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<sup>1</sup>Ord. #300, April 1993, and any amendments thereto, are published as separate documents and are of record in the office of the city recorder.

## CHAPTER 4

MUNICIPAL PLANNING COMMISSION

## SECTION

14-401. Establishment.

14-402. Mayor or appointee and one commissioner to be members.

14-403. Remaining members.

14-404. Terms.

14-401. Establishment. The Collegedale Municipal Planning Commission membership is hereby changed from nine (9) members to seven (7) members. Appointments shall be made in accordance with Tennessee Code Annotated, § 13-4-101. (Ord. #449, § 1, April 1996, as replaced by Ord. #770, May 2011, as replaced by Ord. #1064, Jan. 2019 *Ch7\_11-4-19*)

14-402. Mayor or appointee and one commissioner to be members. Membership in the Collegedale Municipal Planning Commission shall include the mayor, or a person designated by the mayor in the mayor's place, and one (1) city commissioner elected by the Collegedale City Commission, whose terms on the planning commission shall be concurrent with the terms of the mayor's or commissioner's official elected office. (Ord. #449, § 2, April 1996, as amended by Ord. #700, Oct. 2008)

14-403. Remaining members. In accordance with TCA 13-4-101(a) the remaining five (5) members of the planning commission shall be appointed by the mayor. (Ord. #449, § 3, April 1996)

14-404. Terms. In accordance with TCA 13-4-101(a) requiring staggered terms for appointed members, the terms of the five (5) appointed members shall be one (1) member for a five (5) year term; one (1) member for a four (4) year term; one (1) member for a three (3) year term; one (1) member for a two (2) year term; one (1) member for a one (1) year term. Thereafter, the terms of appointed members shall be for five (5) years as the initial appointments expire. (Ord. #449, § 4, April 1996)

## CHAPTER 5

STORMWATER RUNOFF REGULATION AND CONTROL

## SECTION

- 14-501. Purpose.
- 14-502. Definitions.
- 14-503. Permit.
- 14-504. Other requirements.
- 14-505 -- 14-509. Reserved.
- 14-510. General.
- 14-511. Discharge rate.
- 14-512. Flood elevation.
- 14-513. Allowable detention facilities.
- 14-514. Detention storage.
- 14-515. Sizing of detention storage and outlet.
- 14-516. Discharge velocity.
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- 14-518. Freeboard.
- 14-519. Joint development of control system.
- 14-520. Early installation of control systems.
- 14-521. Flows from upland areas.
- 14-522. Land disturbance of one acre or more.
- 14-523. All land disturbances.
- 14-524 -- 14-529. Reserved.
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- 14-533. Drainage and detention design requirements.
- 14-534. Maintenance.
- 14-535. Safety features.
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- 14-537. Wet detention ponds.
- 14-538. Property owner shall enter into inspection and maintenance agreement.
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- 14-541. Interpretation.
- 14-542. Appeal.
- 14-543. Penalties for violation.

## DIVISION 1 - GENERAL PURPOSE AND GENERAL REQUIREMENTS

14-501. Purpose. The purpose of this chapter is to diminish threats to the public health and safety caused by the runoff of excess stormwater, to reduce the possibilities of hydraulic overloading of the storm sewer system, to reduce economic losses to individuals and the community at large as a result of the runoff of excess stormwater, and to protect and conserve land and water resources, while at the same time ensuring orderly development. The provisions of this chapter are specifically intended to supplement existing ordinances regulating the following:

- (1) The subdivision, layout, and improvement of lands located within the City of Collegedale.
- (2) The excavating, filling, and grading of lots and other parcels or areas.
- (3) The construction of buildings, including related parking and other paved areas, and the drainage of the sites on which those structures and their related parking and other paved areas are located.
- (4) The design, construction, and maintenance of stormwater drainage facilities and systems. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-502. Definitions. For the purposes of this chapter, the following definitions are adopted:

- (1) "Base flood elevation." The elevation delineating the flood level having a one-percent (1%) probability of being equaled or exceeded in any given year (also known as the 100-year flood elevation), as determined from Flood Insurance Rate Maps (FIRMs) or the best available information.
- (2) "Channel." A natural or man-made open watercourse with definite bed and banks which periodically or continuously contains moving water, or which forms a connecting link between two (2) bodies of water.
- (3) "City engineer." The person formally designated by the City of Collegedale as the city engineer.
- (4) "Control elevation." contour lines and points of predetermined elevation used to denote a detention storage area on a plat or site drawing.
- (5) "Detention facility." A facility constructed or modified to restrict the flow of stormwater to a prescribed maximum rate, and to concurrently detain the excess waters that accumulate behind the outlet.
- (6) "Detention storage." The temporary detaining or storage of stormwater in storage basins, on rooftops, in streets, parking lots, school yards, parks, open space, or other areas under predetermined and controlled conditions, with the rate of drainage therefrom regulated by appropriately installed devices.
- (7) "Discharge." The rate of outflow of water from any source.

(8) "Drainage area." The area from which water is carried off by a drainage system, i.e., a watershed or catchment area.

(9) "Excess stormwater runoff." The rate of flow of stormwater discharged from an urbanized drainage area which is or will be in excess of that rate which represented or represents the runoff from the property prior to the date of this chapter.

(10) "Floodplain." The special flood hazard lands adjoining a watercourse, the surface elevation of which is lower than the base flood elevation and is subject to periodic inundation.

(11) "Hydrograph." A graph showing, for a given point on a stream or conduit, the runoff flow rate with respect to time.

(12) "One hundred-year storm." A precipitation event of twenty-four (24) hours' duration, having a one percent (1%) chance of occurring in any one (1) year.

(13) "Peak flow." The maximum rate of flow of stormwater at a given point in a channel or conduit resulting from a predetermined storm or flood.

(14) "Stormwater drainage system." All means, natural or man-made, used for conducting stormwater to, through, or from a drainage area to the point of final outlet including, but not limited to, any of the following: open and closed conduits and appurtenant features, canals, channels, ditches, streams, swales, culverts, streets, and pumping stations.

(15) "Stormwater runoff." The waters derived from precipitation within a tributary drainage area, flowing over the surface of the ground or collected in channels or conduits.

(16) "Time of concentration." The elapsed time for stormwater to flow from the most distant point in a drainage area to the outlet or other predetermined point.

(17) "Two-year storm." A precipitation event having a fifty percent (50%) chance of occurring in any one (1) year.

(18) "Two-year storm runoff." The stormwater runoff having a fifty percent (50%) probability of occurring in any one (1) year.

(19) "Upland area." Any land whose surface drainage flows toward the area being considered for development.

(20) "Watercourse." Any natural or artificial stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, street, roadway, swale, or wash in which water flows in a definite direction, either continuously or intermittently, and which has a definite channel, bed, or banks.

(21) "Wet bottom detention basin." A basin designed to retain a permanent pool of stormwater after having provided its planned detention of runoff during a storm event. (as added by Ord. #520, June 1999, as replaced by Ord. #996, July 2014)

14-503. Permit. Before initiating any activity regulated by this chapter, an applicant shall be required to obtain an approval of the construction plans

by the city which indicates that the requirements of this chapter 5 have been met.

Land disturbance permit fees:

Less than 10,000 sq. ft. disturbed	no fee
10,000 sq. ft. to 0.9999 acres	\$ 100
1.0 - 4.9999 acres	\$ 250
5.0 - 19.9999 acres	\$ 1,000
20.0 - 49.9999 acres	\$ 3,000
50.0-149.9999 acres	\$ 5,000
150.0 + acres	\$10,000
Resubmittal fees*	\$ 500

\*(for review of plans due to unaddressed comments) (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014, and Ord. #1085, Aug. 2020 *Ch8\_07-19-21*)

14-504. Other requirements. In addition to meeting the requirements of Division 2 and before starting any activity regulated by this chapter, an applicant shall comply with the requirements set forth in all other related ordinances and state statutes and regulations, including but not limited to the Tennessee Department of Environment and Control Construction General Permit and the Hamilton County Water Quality Program. (as added by Ord. #520, June 1999, as replaced by Ord. #996, July 2014)

14-505 -- 14-509. Reserved. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014).

## DIVISION 2 - SPECIFIC REQUIREMENTS

14-510. General. Sediment shall be maintained on site and excess stormwater runoff shall be detained in connection with any new construction, development, redevelopment or land use change occurring within the City of Collegedale in accordance with the requirements set forth in this chapter 5. Notwithstanding the foregoing, exceptions to this requirement are as follows:

(1) For stormwater detention, the development of any single-family or two-family lot not a part of a larger development unless the impervious area exceeds ten thousand (10,000) square feet.

(2) For stormwater detention, the development of commercial, industrial, high density residential or agricultural property in which the increase in the run off rate does not exceed the pre-development rate of run off.

(3) A determination by the city that the excess runoff from the proposed construction, development, redevelopment or land use change will be insufficient to adversely affect the carrying capacity of the receiving body or watercourse. In this connection and should the city's determination of insufficient adverse effect be sought, the developer shall make available to the



city such hydraulic or hydrologic computations as will support the requested exception. (as added by Ord. #520, June 1999, amended by Ord. #601, Oct. 2004, and Ord. #720, June 2009, and replaced by Ord. #996, July 2014)

14-511. Discharge rate. The peak discharge after full development resulting from the proposed development shall not exceed the corresponding peak discharge rate prior to development during storms of 1-year, 2-year, 5-year, 10-year and 25-year return frequency storm as determined at the property line of the development. (as added by Ord. #520, June 1999, as replaced by Ord. #996, July 2014)

14-512. Flood elevation. There shall be no detrimental effect on the floodway or the flood elevation during a 100-year storm upstream or downstream of the proposed development area as a result of the proposed development. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-513. Allowable detention facilities. The increased stormwater runoff resulting from proposed development shall be detained by providing for appropriate detention storage as required by this chapter 5. In no case shall the design maximum water elevation of a detention facility be less than one foot (1') below the lowest ground elevation adjacent to, or opening into an existing or future structure or above the elevation of any public street. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-514. Detention storage. Designs for detention storage and related appurtenances shall be submitted to the city for approval. Upon submittal of a design the city shall determine as to those control elevations that shall be entered on the final plat or make a determination as to the necessity for deed restrictions on any particular lot in said subdivision. Where a non-subdivided parcel of land is proposed for development, the city shall make a determination as to the need for covenants to maintain responsibility for mandatory drainage facilities. All said facilities shall be designed and constructed in accordance with the City of Collegedale specifications and shall be located in easements dedicated to the public. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-515. Sizing of detention storage and outlet. (1) The drainage area used in computation will be the total area tributary to the detention storage outlet.

(2) The developer will be required to submit detailed hydrologic and hydraulic calculations to show that the requirements of this chapter 5 will be met. A unit hydrograph method of analysis (SCS) will be used for detailed hydrologic computations. The hydrologic report shall show and state that there is no increase in the stormwater runoff rates as a result of the development.

(3) No orifice or flow control opening shall be less than one inch (1") in size. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-516. Discharge velocity. The discharge velocity from detention facilities shall not exceed three feet (3') per second at the property line unless it is determined by the city that greater velocities will not be harmful to the receiving channel. Where the city's determination is requested, the developer shall make available such hydraulic or hydrologic computations as will adequately support the course of action being requested. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-517. Emergency spillway. Emergency spillways shall be provided to permit the safe passage of runoff generated from rainfall events up to the 100-year rainfall event. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-518. Freeboard. Detention storage areas shall have adequate capacity to contain the storage volume of tributary stormwater runoff with at least one foot (1') of freeboard above the water surface during the 100-year rainfall event. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-519. Joint development of control system. Stormwater control systems may be planned in coordination by two (2) or more property owners as long as the potential for damage from stormwater is not increased at intervening locations. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-520. Early installation of control systems. Stormwater control measures shall be installed prior to undertaking other grading of site and a schedule of construction for this purpose shall be submitted prior to construction in the City of Collegedale. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-521. Flows from upland areas. The total drainage area must be used in calculating the allowable release rate. The required storage volume will be based on the project area only, with extraneous flows from upland areas being bypassed or discharged via overflow spillways or other devices. Where storm sewers are required they shall be of such size as will provide sufficient capacity to receive the flow generated by ten-year storm from upland areas. As to the latter and regardless of whether it has occurred in fact, such upland areas shall be deemed to have been fully developed for all purposes of this requirement. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-522. Land disturbance of one acre or more. The developer shall comply with the State of Tennessee General NPDES Permit for Stormwater Discharges Associated with Construction Activity, the Hamilton County Water Quality Program and provide copies of each to the city prior to starting construction. (as added by Ord. #520, June 1999, amended by Ord. #684, Nov. 2007, and replaced by Ord. #996, July 2014)

14-523. All land disturbances. Land disturbances associated with any new construction, development, redevelopment, or land use change regardless of use shall incorporate into the development plan the following elements as a minimum:

- (1) Stone construction entrance.
- (2) Silt fence or other sediment retaining device on the low side of the site.
- (3) Temporary seeding of disturbed areas remaining open more than two (2) weeks.
- (4) Removal of soil tracked into the public right-of-way.
- (5) Permanent seeded.

A copy of the development plan shall be submitted to the city prior to starting construction. (as added by Ord. #520, June 1999, deleted by Ord. #684, Nov. 2007, and added by Ord. #996, July 2014)

14-524.--14-529. Reserved. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

### DIVISION 3

#### ADDITIONAL SUBDIVISION AND BUILDING IMPROVEMENT REGULATIONS

14-530. Preliminary plats. Information indicating the manner in which the provisions of this chapter are to be met shall be indicated on all preliminary plats. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-531. Requirements for construction plans. Information indicating the manner in which the provisions of this chapter are to be met shall be submitted with all construction plan submissions or any other plan for improvements which falls under the requirements of Division 2. All computations, plans and specifications shall be prepared and sealed by a professional engineer registered in the State of Tennessee. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-532. Requirements for final plats. Information indicating the manner in which the provisions of this chapter are to be met shall be submitted with all construction plan submissions or any other plan for improvements which falls under the requirements of § 14-510. All computations, plans, and specifications shall be prepared and sealed by a professional engineer registered in the State of Tennessee. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-533. Drainage and detention design requirements. All subdivisions and other proposed improvements which are subject to the provisions of Division 2 shall incorporate such design features as are required in this chapter 5. Variation from these requirements shall require the approval of the city commission whose action shall be conditioned upon the following:

(1) That a petition be submitted describing in detail the rationale for the proposed design change.

(2) That there are special circumstances or conditions affecting the property under consideration such that strict compliance with the provisions of this chapter 5 would deprive the applicant of the reasonable use of his land.

(3) That the variance is necessary for the preservation and enjoyment of a substantial property right of the proprietor.

(4) That the granting of the variance will not be detrimental to the public health, safety or welfare or injurious to other property in the territory in which said property is located. (as added by Ord. #520, June 1999, as replaced by Ord. #996, July 2014)

14-534. Maintenance. Designs for detention storage and related appurtenances will incorporate features which facilitate their inspection and maintenance. The designer shall submit an Operation and Maintenance (O&M) plan for any detention facility prior to its approval. The O&M plan will address silt removal, vegetative growth control, erosion control in the structure and the maintenance of the inlet and outlet structures and safety features. All detention facilities may be inspected by the city at such times they deem necessary. If deficiencies, or conditions creating nuisances, are found, the owner shall be required to initiate the necessary corrections with fourteen (14) days after notification, and all deficiencies shall be corrected within thirty (30) days. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-535. Safety features. Designs of detention facilities shall incorporate safety features, particularly at inlets, outlets, on steep slopes, and at any attractive nuisances. These features shall include, but not be limited to, fencing, hand rails, lighting, steps, grills, signs, and other protective or warning devices so as to restrict access. (as added by Ord. #520, June 1999, as replaced by Ord. #996, July 2014)

14-536. Sediment ponds. Sediment ponds which are constructed with the intent of being used as a detention pond once the site is stabilized shall be cleaned, graded, stabilized and the control structure modified as required before it will be acceptable to the city. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-537. Wet detention ponds. Wet detention ponds are allowed but will require additional safety features and maintenance requirements due to their appeal. This may include flatter slopes along the normal water line, aeration, a greater level of maintenance and other features to insure safe and proper operation. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-538. Property owner shall enter into inspection and maintenance agreement. The property owner shall enter into an inspection and maintenance agreement for a stormwater detention facility with the city indicating that the owner will be responsible for the operation and maintenance of the facility. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-539. Reserved. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-540. Responsibility. The administration of this chapter shall be the responsibility of the City of Collegedale. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-541. Interpretation. In the interpretation and application of this chapter, the provisions expressed herein shall be held to be the minimum requirements and shall be liberally construed in favor of the City of Collegedale. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

14-542. Appeal. The City of Collegedale Commission is hereby designated as the appeals board for disputes arising from the application of this chapter. The commission shall hear appeals where it is alleged by an appellant that there is error in any order, requirement, decision, grant or refusal made by the city in the enforcement of the provisions of this chapter. (as added by Ord. #520, June 1999, as replaced by Ord. #996, July 2014)

14-543. Penalties for violation. (1) General. Any person, firm, organization, association or corporation violating any of the provisions of this chapter 5, including violation of any variances granted under the authority of this chapter 5, shall be deemed guilty of a municipal ordinance and each such person or other entity shall be deemed guilty of a separate offense for each and every day or portion thereof that any violation of any of the provisions of this

code is committed, continued or permitted, and upon conviction of such violation, such person or other entity may be punished by a fine of not less than fifty dollars (\$50.00) and more than five hundred dollars (\$500.00).

(2) Additional corrective actions. Any building or structure constructed in violation of the provisions of this chapter 5 or any use carried on in violation of this chapter 5 is hereby declared to be a nuisance per se, with any court of competent jurisdiction having the authority to determine that the owner or developer is guilty of maintaining a nuisance per se and to order such nuisance abated. In this connection, the city is hereby authorized to institute any appropriate action or proceeding in any appropriate court to prevent, restrain, correct or abate any violations of this chapter 5.

(3) The provisions of this chapter are in addition to and not in restriction of limitations or rights that the citizens of the City of Collegedale may have under the common laws of the State of Tennessee. (as added by Ord. #520, June 1999, and replaced by Ord. #996, July 2014)

## CHAPTER 6

MOBILE HOME ORDINANCE

## SECTION

- 14-601. Definitions as used in this ordinance.
- 14-602. Regulation mobile homes.
- 14-603. Regulating mobile home parks.
- 14-604. Regulating travel trailers and travel trailer parks.
- 14-605. Permit.
- 14-606. Fees for permit.
- 14-607. Application for permit.
- 14-608. Enforcement.
- 14-609. Appeals.
- 14-610. Violation and penalty.

14-601. Definitions as used in this ordinance. Except as specifically defined herein, all words used in this ordinance have their customary dictionary definitions where not inconsistent with the context. For the purpose of this ordinance certain words or terms are defined as follows:

The term "shall" is mandatory.

When not inconsistent with the context, words used in the singular number include the plural and those used in the plural number include the singular.

Words used in the present tense include the future.

(1) "Buffer strip." The mobile home park shall be screened on all lot lines by one of the methods given below, as selected by the owner. The requirements may be reduced or eliminated by the board of appeals in those parts of the perimeter where the screen would create a traffic hazard.

(a) A greenbelt planting strip, not less than fifteen (15) feet in width. Such greenbelt shall be composed of at least:

One row of deciduous and evergreen trees, spaced not more than fifteen (15) feet apart, at least eight (8) feet tall, and with a minimum trunk diameter of one and one-half (1 1/2) inches at planting, and one row of shrubs with a ratio of two deciduous to one evergreen shrub, spaced an average of five (5) feet apart. Such shrubs shall be a minimum of thirty (30) inches in height at planting and expected to grow to a height of eight (8) feet in 3 or 4 full growing seasons.

(b) Natural vegetation can be retained if it meets the intent of this section, or supplemented to meet the intent of this section.

(c) A sight obscuring screen (either solid or veil block, or some form of fence that is at least 50% opaque and at least six (6) feet high.)

(2) "Health officer." The director of a city, county or district health department having jurisdiction over the community health in a specific area, or his duly authorized representative.

(3) "Mobile home park." The term mobile home park shall mean any plot of ground on which six (6) or more mobile homes, occupied for dwelling or sleeping purposes, are located.

(4) "Mobile home space." The term shall mean a plot of ground within a mobile home park designated for the accommodation of one (1) mobile home.

(5) "Mobile home (trailer)." A detached single-family dwelling unit with any of all of the following characteristic:

(a) Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems.

(b) Designed to be transported after fabrication on its own wheels, or on a flatbed or other trailers or detachable wheels.

(c) Arriving at the site where it is to be occupied as a complete dwelling and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, connection to utilities and the like.

(6) "Permit (license)." A permit is required for mobile home parks, single mobile homes and travel trailer parks. Fees charged for mobile home and travel trailer parks under the permit requirements are for inspection and the administration of this ordinance.

(7) "Travel trailer/motor home." A travel trailer, pick-up camper, converted bus, tent-trailer, tent, or similar device used for temporary portable housing or a unit which:

(a) Can operate independent of connections to external sewer, water and electrical systems;

(b) Contains water storage facilities and may contain a lavatory, kitchen sink and/or bath facilities; and/or

(c) Is identified by the manufacturer as a travel trailer/motor home.

(8) "Travel trailer park." The term travel trailer park shall mean any plot of ground on which two (2) or more travel trailers, occupied for camping or periods of short stay, are located. (as added by Ord. #520, June 1999)

14-602. Regulation of mobile homes. (1) Location. It shall be unlawful for any mobile home to be used, stored, or placed on any lot or serviced by the utilities of said city where said mobile home is outside of any designated and licensed mobile home park or approved mobile home subdivision (see subdivision regulations) after the date of passage of this ordinance, excepting mobile homes located on licensed mobile home sales lots, and except as provided in § 14-602(2).



(2) Grandfathered. Any mobile home already placed on a lot outside of a mobile home park on or before the date of passage of this ordinance will be permitted to remain at its present location. Any mobile home site at any location with utility connections and other facilities constructed specifically for utilization as a permanent mobile home parking site, in existence prior to the date of passage of this ordinance, shall be permitted to be utilized for parking and servicing mobile homes hereafter. All nonconforming mobile homes shall comply with chapter 18, Section 18.03 of the Collegedale Municipal Zoning Ordinance.

(3) License. No mobile home shall be used, placed, stored or serviced by utilities within the City of Collegedale or within any mobile home park in said city unless there is posted near the door of said mobile home a valid Tennessee State License. Mobile homes in mobile home subdivisions and any individually located mobile homes shall be assessed property taxes. (as added by Ord. #546, June 2001)

14-603. Regulating mobile home parks. (1) Permit for mobile home park. No place or site within said city shall be established or maintained by any person, group of persons, or corporation as a mobile home park unless he holds a valid permit issued by the city building official in the name of such person or persons for the specific mobile home park. The city building official is authorized to issue, suspend, or revoke permits in accordance with the provisions of this ordinance; see §§ 14-605 and 14-607.

Said existing mobile home parks shall comply with all state regulations applicable thereto which were in force prior to the establishment of said mobile home park.

(2) Inspections by city building official. The city building official is hereby authorized and directed to make inspections to determine the condition of mobile home parks, in order that he may perform his duty of safeguarding the health and safety of occupants of mobile home parks and of the general public. The city building official shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this ordinance.

(3) Length of occupancy. No mobile home space shall be rented in any mobile home park except for periods of sixty (60) days or more, and no mobile home shall be admitted to any park unless it can demonstrated that it meets the requirements of the American Standards Association Code Provisions A-119.1-1963, American Standard for Installation in Mobile Homes of Electrical, Heating and Plumbing Systems, or Mobile Homes Manufacturers Association, Mobile Home Standards for Plumbing, Heating and Electrical Systems or any state administered code insuring equal or better plumbing, heating or electrical installations.

(4) Location and planning. The mobile home park shall be located on a well-drained site and shall be so located that its drainage will not endanger

any water supply and shall be in conformity with a plan approved by the city planning commission. All mobile home parks shall be located in the R-3 or U-1 districts as specified in the Collegedale Municipal Zoning Ordinance, with the main park entrance to be located on a collector or arterial street. Signage will be allowed only in conformance with Section 17.05 of the Collegedale Municipal Zoning Ordinance.

(5) Minimum size of mobile home park. The tract of land for the mobile home park shall comprise an area of not less than five (5) acres. The tract of land shall consist of a single plot so dimensioned and related as to facilitate efficient design and management.

(6) Minimum number of spaces. Minimum number of spaces completed and ready for occupancy before first occupancy is twelve (12).

(7) Minimum mobile home space and spacing of mobile homes. Each mobile home space shall be adequate for the type of facility occupying the same. Mobile homes shall be parked on each space so that there will be at least fifteen (15) feet of open space between mobile homes and at least fifteen (15) feet end to end spacing between trailers, twenty (20) feet between any trailer and property line and thirty-five (35) feet from the right-of-way of any public street or highway and ten (10) feet from streets within the park. The space between mobile home porches may be at least ten (10) feet and no setback distance is required for garages and storage buildings provided that they are constructed with non-combustible materials or constructed with materials having a one (1) hour minimum fire resistance rating. Garages or storage buildings not meeting these criteria are prohibited. In addition, each mobile home space shall contain:

(a) A minimum lot area of three thousand (3,000) square feet;

(b) A minimum width of at least forty (40) feet and a minimum depth of at least seventy-five (75) feet;

(c) A minimum depth with end parking of an automobile equal to the length of the mobile home plus thirty (30) feet;

(d) A minimum depth with side or street parking equal to the length of the mobile home plus fifteen (15) feet.

(e) In no case shall there be over a two (2) foot differential in elevation from one end of the space to the other.

(f) There shall be provided for each mobile home space an appropriate area for an accessory building. As an alternative, a common area may be established to accommodate storage needs for all residents of the mobile home park.

(8) Common area. A centrally located area shall be provided for recreational manner and shall be well drained and free from flood. The size of this area shall be, at a minimum, ten (10) percent of the total park area.

(9) Water supply. The mobile home park shall use a public water supply for potable and fire protection purposes. Accordingly, fire hydrants shall

be installed in a manner deemed appropriate by the Collegedale Planning Commission.

(10) Sewage disposal. Each mobile home space shall be equipped with a three (3) inch sewer connection, trapped below the frost line and reaching at least four (4) inches above the surface of the ground. All sewer lines shall be laid in trenches separated at least five (5) feet horizontally from any drinking water supply line.

(11) Refuse. The storage, collection and disposal of refuse, in the park shall be so managed as to create no health hazards. All refuse shall be stored in fly proof, water tight and rodent proof containers. Garbage shall be collected and disposed of in an approved manner.

(12) Electricity. An electrical outlet supplying at least two hundred twenty (220) volts shall be provided for each mobile home space and shall be weather proof and accessible to the parked mobile home. All electrical installations shall be in compliance with the National Electrical Code and Tennessee Department of Insurance and Banking Regulation No. 1, entitled "Regulation Relating to Electrical Installations in the State of Tennessee," and shall satisfy all requirements of the local electric service organization.

(13) Private streets. Minimum widths of private streets within mobile home parks shall be:

One-way, with no on-street parking . . . . .	12 ft.
One-way, with parallel parking on one side only . . . . .	18 ft.
One-way, with parallel parking on both sides . . . . .	26 ft.
Two-way, with no on-street parking . . . . .	20 ft.
Two-way, with parallel parking on one side only . . . . .	28 ft.
Two-way, with parallel parking on both sides . . . . .	36 ft.

(14) Private street or road base. The base shall consist of crushed stone, grade D, class B, compacted to six (6) inches, and constructed as specified in Section 303, Tennessee Department of Highways', Standard Specifications for Road and Bridge Construction, 1968.

(15) Private street asphaltic concrete surface course (hot mix). The asphaltic concrete surface course (paved surface) shall be constructed with asphaltic concrete (grading E) compacted to two (2) inches with not less than an average weight of two hundred (200) pounds per square yard and constructed as specified in Section 411, 258 through 260 of the Tennessee Department of Highways', Standard Specifications for Road and Bridge Construction (and subsequent revisions), January 1, 1968.

NOTE: Standards and specifications as indicated in the Tennessee Department of Highways', Standard Specifications for Road and Bridge Construction, are subject to periodic revision. Revisions made in Sections 35 and 104 should be incorporated in new road construction.

(16) Public streets. All public streets within the mobile home park shall meet all minimum requirements for public streets as specified in the Collegedale Subdivision Regulations.

(17) Parking spaces. Car parking spaces shall be provided in sufficient number to meet the needs of the occupants of the property and their guests without interference with normal movement of traffic. Such facilities shall be provided at the rate of at least two (2) car spaces for each lot. Car parking spaces shall be located for convenient access to the mobile home spaces. The size of the individual parking space shall have a minimum width of not less than ten (10) feet and a length of not less than twenty (20) feet. The parking spaces shall be located so access can be gained only from internal streets of the mobile home park.

(18) Buffer strip. A buffer strip shall be planted along all boundaries of the mobile home park (see definition). (as added by Ord. #546, June 2001, and amended by Ord. #1077, Dec. 2019 *Ch8\_07-19-21*)

14-604. Regulating travel trailers and travel trailer parks.

(1) Location service. It shall be unlawful for any travel trailer to be occupied or serviced outside of any properly designated travel trailer park.

(2) Permit for travel trailer park. No place or site within said city shall be established or maintained by any person, group of person, or corporation as a travel trailer park unless he holds a valid permit issued by the city building official in the name of such person or persons for the specific travel trailer park. The city building official is authorized to issue, suspend, or revoke permits in accordance with the provisions of this ordinance.

(3) Inspections by city building official or county health officer. The city building official or county health officer is hereby authorized and directed to make inspections to determine the conditions of travel trailer parks, in order that he may perform his duty of safeguarding the health and safety of the occupants of travel trailer parks and of the general public. The building official or county health officer shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this ordinance.

(4) Length of occupancy. Travel trailer spaces shall be rented by the day or week only, and the occupant of such space shall remain in the same travel trailer park not more than ninety (90) days.

(5) Location. Travel trailer parks shall be located in districts as specified in the zoning ordinance of the City of Collegedale.

NOTE: Travel trailer parks, properly regulated, fit well into general commercial complexes in which a variety of complementary facilities are available. Nearby groceries, general stores, filling stations, coin operated

laundries, for example, are often in demand by persons looking for travel trailer parks. A rural park setting, however, may be desirable.

(6) Minimum size of travel trailer space. Each travel trailer space shall have a minimum width of thirty (30) feet and a minimum length of fifty (50) feet.

(7) Improvements. Site planning improvements shall conform to the standards established in Regulations VI - XX of the State Regulations Governing the construction, Operation and Maintenance of Organized Camps in Tennessee, as provided in Chapter 65, Public Acts of 1965. (as added by Ord. #546, June 2001)

14-605. Permit. The following requirements for permits shall apply to any mobile home park, individual mobile home, and travel trailer park within the corporate limits of said city.

(1) Mobile home parks. It shall be unlawful for any person or persons to maintain or operate within the corporate limits of said city, any mobile home park unless such person or persons shall first obtain a permit therefor. (as added by Ord. #546, June 2001)

14-606. Fees for permit. An annual permit fee shall be required for mobile home parks, and travel trailer parks.

(1) Mobile home parks. The annual permit fee for mobile home parks shall be twenty-five (25) dollars.

(2) Travel trailer parks. The annual permit fee for each travel trailer park shall be twenty-five (25) dollars. (as added by Ord. #546, June 2001)

14-607. Application for permit. (1) Mobile home parks.

(a) Applications for a mobile home park shall be filled with and issued by the city building official subject to the planning commission's approval of the mobile home park plan. Applications shall be in writing and signed by the applicant and shall be accompanied with an approved plan of the proposed mobile home park. The plan shall contain the following information and conform to the following requirements:

(i) The plan shall be clearly legibly drawn at a scale not smaller than one hundred (100) feet to one (1) inch;

(ii) Name and address of owner of record;

(iii) Proposed name of park;

(iv) North point and graphic scale and date;

(v) Vicinity map showing location and acreage of mobile home park;

(vi) Exact boundary lines of the tract by bearing and distance;

(vii) Names of owners of record of adjoining land;

(viii) Existing streets, utilities, easements, and water courses on and adjacent to the tract;

(ix) Proposed design including streets, proposed street names, lot lines with approximate dimensions, easements, land to be reserved or dedicated for public uses, and any land to be used for purposes other than mobile home spaces;

(x) Provisions for water supply, sewerage and drainage;

(xi) Such information as may be required by said city to enable it to determine if the proposed park will comply with legal requirements; and

(xii) The applications and all accompanying plans and specifications shall be filed in triplicate.

(b) Certificates that shall be required are:

(i) Owner's certification;

(ii) Planning commission's approval signed by the secretary; and

(iii) Any other certificate deemed necessary by the planning commission.

(2) Individual mobile homes. Applications for individual mobile home permits shall be filed and issued by the city building official. Applicants shall follow established city procedures for securing a building permit. In addition to those procedures, the application shall contain the following:

(a) The name of the applicant who is to reside in the mobile home;

(b) The location of the mobile home;

(c) A description of the mobile home, make, model and year;

(d) Any additional information as may be required by said city to enable it to determine if the mobile home and site will comply with all legal requirements.

(3) Travel trailer parks. Applications for travel trailer parks shall meet the same requirements as contained in § 14-607(1). (as added by Ord. #546, June 2001)

14-608. Enforcement. It shall be the duty of the county health officer and city building official to enforce provisions of this ordinance. (as added by Ord. #546, June 2001)

14-609. Appeals. (1) Board of appeals. The Collegedale Board of Appeals, as established in the Municipal Zoning Ordinance, shall serve as the appellate body for these regulations, and shall be guided by procedures and powers compatible with state law.

Any party aggrieved because of an alleged error in any order, requirement, decision or determination made by the building official in the enforcement of this ordinance, may appeal for and receive a hearing by the

board of appeals (advised by the city attorney) for an interpretation of pertinent ordinance provisions. In exercising this power of interpretation of this ordinance, the board of appeals with advice from the city attorney, may, in conformity with the provisions of this ordinance, reverse or affirm any order, requirement, decision or determination made by the building official.

(2) Appeals from the board of appeals. Any person or persons or any board, taxpayer, department, or bureau of the city aggrieved by any decision of the board of appeals and the city attorney may seek review by a court of records of such decision in the manner provided by the laws of the State of Tennessee. (as added by Ord. #546, June 2001)

14-610. Violation and penalty. Violations of these regulations will be handled as allowed by the State of Tennessee and the City of Collegedale. (as added by Ord. #546, June 2001)

## CHAPTER 7

LANDSCAPE ORDINANCE

## SECTION

- 14-701. Intent.
- 14-702. Definitions.
- 14-703. General provisions.
- 14-704. Landscape/plant installation plan submittal requirements.
- 14-705. Hardships.
- 14-706. Landscaped street yard.
- 14-707. Groundcover.
- 14-708. Landscape perimeter.
- 14-709. Screening.
- 14-710. Foundation planting.
- 14-711. Parking lot requirements.
- 14-712. Utility easements.
- 14-713. Plant installation specifications.
- 14-714. Landscape installation requirements.
- 14-715. Tree preservation credits.
- 14-716. Stormwater credits.
- 14-717. Residential (R-1-H, R-1-L, R-2, and AG).
- 14-718. Appeals.

14-701. Intent. Collegedale's scenic landscapes are closely tied to the community's quality of life, community identity, and civic pride. These landscapes also form the critical first impressions of potential new employers, homeowners, and tourists, thus affecting Collegedale's economy.

Landscaping provides important environmental benefits such as reducing air pollution and stormwater runoff, improving water quality, and creating wildlife habitats. Landscaping requirements are one of the many tools used for protecting and enhancing a community's scenic quality and visual character of the community.

The purpose and intent of this chapter are the following:

- (1) To promote the scenic quality and visual character of the community;
- (2) To improve the appearance of parking areas and property abutting public rights-of-way;
- (3) To protect property values;
- (4) To reduce storm water runoff and improve water quality;
- (5) To provide transition between incompatible land uses;
- (6) To provide relief from traffic, noise, heat, glare, dust, and debris;
- (7) To stabilize soil and prevent erosion;



- (8) To encourage preservation of desirable trees; and,
- (9) To filter pollutants from the air and release oxygen. (as added by Ord. #577, June 2003, and replaced by Ord. #742, April 2010, and Ord. #983, Sept. 2013)

14-702. Definitions. (1) "Caliper." A measurement of the trunk diameter measured at 2 ½ feet above grade level.

(2) "Class 1 shade trees." Any plant having a central trunk, an expected maturity height of at least thirty five feet (35'), and an expected minimum mature canopy spread of twenty feet (20').

(3) "Gross Floor Area (GFA)" The total interior space as defined by the International Building Code.

(4) "High density residential." For the purposes of this chapter, high density residential includes zones R-1-H, R-3, and MUTC.

(5) "Impervious surfaces." Includes concrete, asphalt, brick, metal, gravel or any other material constructed and erected on landscaped or natural buffer areas that impede the percolation of water into the ground.

(6) "Interior parking bay." All parking bays that do not qualify as a perimeter bay.

(7) "Landscaped area/landscape yard." An area to be planted with grass, trees, shrubs or other natural ground cover. No impervious surfaces are permitted in these areas with the exception of areas approved and used for ingress and egress.

(8) "Landscaped peninsula." A landscaped area defined by a curb and surrounded by paving on three (3) sides.

(9) "Landscape professional." Includes landscape architects (registered in the State of Tennessee), landscape designers (educated in landscape design concepts), and other landscape professionals as approved by the City of Collegedale.

(10) "Natural buffer." An area of land set aside for preservation in its natural vegetative state. Plants may not be removed with the exception of poisonous or non-native plant species. In addition, fill/cutting activities, storage of materials, and impervious surfaces are not permitted in these areas.

(11) "New development." Construction of a new building or structure on its own lot is considered as new development. New buildings or structures constructed on a lot which already contains existing buildings is considered as an expansion.

(12) "Ornamental shade trees." Any plant having a central trunk, a maximum expected maturity height of twenty feet (20').

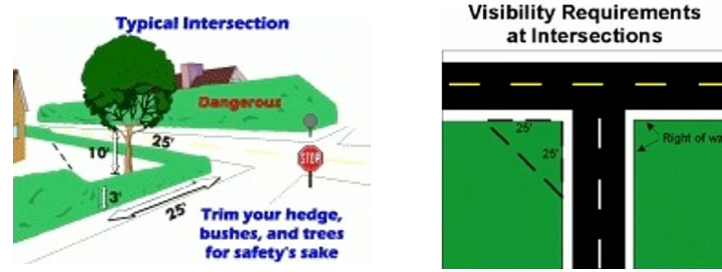
(13) "Perimeter bay." All parking bays that are adjacent to the perimeter of a development.

(14) "Right-of-way." The area between the property line and the sidewalk/curb, or the edge of pavement is the right-of-way.

(15) "Screening shrubs." Evergreen shrubs that maintain foliage year-round.

(16) "Screening trees." Evergreen trees that maintain foliage year-round.

(17) "Sight triangles (intersection sight distances)." Formed by the intersection of property lines and continues twenty-five (25) feet along the property lines.



(18) "Street yard." The space between the edge of the right-of-way and the principal building. It is composed of grass and other natural plantings to promote ingress and egress safety and to add visual interest to expanses of surface parking lots. (as added by Ord. #577, June 2003, and replaced by Ord. #742, April 2010, and Ord. #983, Sept. 2013)

14-703. General provisions. (1) Applicability. The requirements of this section shall apply to:

- (a) All new development in all zones
- (b) Existing developments in all zones
  - (i) For existing developments and parking facilities, expansion in gross floor area (GFA) or parking spaces will trigger landscaping requirements based on the scope of work proposed as established below.
  - (ii) Any modifications of landscaping requirements allowing for the expansion of existing manufacturing facility shall be reviewed and approved by the City of Collegedale.
  - (iii) Where both the building expansion and parking lot expansion requirements are applicable, the building expansion requirements shall supercede.

(2) Building expansions. When an expansion:

- (a) Increases GFA at least ten percent (10%) but no more than twenty-five percent (25%), then the entire property shall comply with the landscaped street yard or parking lot landscaping requirements (option of applicant).
- (b) Increases GFA more than twenty-five percent (25%), then the entire property shall meet all of the landscape ordinance requirements.

(3) Parking lot expansions. When an expansion:

(a) Increases the total number of parking spaces no more than twenty-five percent (25%), then the expanded portion of the parking lot shall comply with the landscaping requirements.

(b) Increases the total number of parking spaces more than twenty-five percent (25%) but no more than fifty percent (50%), then fifty percent (50%) of the existing parking lot(s) within the property and all of any expanded parking lot portions shall comply with the parking lot landscaping requirements.

(c) Increases the total number of parking spaces more than fifty percent (50%), then the expanded and existing parking lot(s) within the property shall comply with the parking lot landscaping requirements.

(4) Replacement. Vegetation planted or preserved that does not remain alive shall be replaced with equivalent vegetation. Preserved trees for which credit was awarded but which subsequently die, shall be replaced with a tree of the same variety of at least four inch (4") caliper, and at least eighteen feet (18') in height. The replacement of dead landscape material shall be the responsibility of the current property owner. If any of the material should fail to survive it would be replaced during the appropriate planting season.

(5) Irrigation. Required landscaping shall be irrigated by one of the following methods for all zones, except R-1-L, R-2, and AG:

(a) An underground sprinkler system;

(b) Automatic drip system.

(6) Plant guarantee. Guarantee from the developer and/or owner that all plant materials will be warranted following installation. If the developer sells the property, then the new owner assumes responsibility for maintaining all landscaping. Refer to § 14-704(2)(s).

(7) Soil and climatic conditions. Trees and other vegetation shall be planted in soil and climatic conditions which are appropriate for the growth habits. Native vegetation is preferred. Plants used in the landscape design shall to the greatest extent be:

(a) Appropriate to the conditions in which they are to be planted;

(b) Have non-invasive growth habits;

(c) Encourage low maintenance, high quality design; and,

(d) Otherwise consistent with the intent of this ordinance.

(8) Sod requirement. Sod shall be used where grass is required.

(9) Minimum requirements. The requirements within the Landscape Ordinance are the minimum standards. Additional landscaping above and beyond these requirements that help to achieve an aesthetically pleasing site is encouraged by the City of Collegedale. (as added by Ord. #577, June 2003, and replaced by Ord. #742, April 2010, and Ord. #983, Sept. 2013)

14-704. Landscape/plant installation plan submittal requirements.

(1) Other landscape plan submittal requirements. Three (3) copies of the proposed landscape and/or development site plan shall be submitted to the planning and economic development coordinator.

(2) Proposed developments subject to the provisions of this section and prior to or at the time of submittal of a site plan shall submit a landscape/plant prepared by a registered landscape architect or by a landscape professional as approved by the City of Collegedale, and all of the requirements of that plan must be fulfilled before a certificate of occupancy may be granted. This landscape/plant installation plan may be incorporated into a site plan, provided the scale is not less than one inch equals forty feet (1" = 40'). The following elements shall be shown on the landscape/plant installation plan:

(a) Street yard as required for all non-residential, high density residential, and industrial developments;

(b) Interior parking lot landscaping as required for all non-residential, high density residential, and industrial developments;

(c) Landscape perimeter as required for all non-residential, high density residential, and industrial developments;

(d) Zoning of site and adjoining properties;

(e) Existing and proposed contours at two feet (2') intervals or less;

(f) Boundary lines and lot dimensions;

(g) Date, graphic scale, north arrow, title and name of owner, and the phone number of the person or firm responsible for the landscape plan;

(h) Location of all proposed structures and storage areas;

(i) Drainage features and 100-year floodplain, if applicable;

(j) Parking lot layout including parking stalls, bays, and driving lanes;

(k) Irrigation plan;

(l) Existing and proposed utility lines, and easements;

(m) All paved surfaces and curbs;

(n) Existing trees or natural areas to be retained (refer to § 14-715);

(o) Location of all required landscaping areas (street yard, landscaped peninsulas, landscaped islands, foundation plantings, and screening buffers);

(p) Location, installation size, quantity, and scientific and common names of landscaping to be installed;

(q) The spacing between trees and shrubs used for screening;

(r) Sight triangles;

(s) Plant warranty (signed and dated by the owner):

"I (We) hereby guarantee to the City of Collegedale that the plant materials shown on this plan shall remain alive and after issuance

of the final Certificate of Occupancy. Any plant material that dies or is damaged shall be replaced in the next appropriate planting season with equivalent material. If the property is sold, this guarantee shall become the responsibility of the new owner." (as added by Ord. #577, June 2003, and replaced by Ord. #742, April 2010, and Ord. #983, Sept. 2013)

14-705. Hardships. This section does not intend to create undue hardship on affected properties. The required landscaping should not exceed fifteen percent (15%) of the total area. For existing developments, where the GFA or parking areas are being increased, the loss of off-street parking spaces (required by the City of Collegedale Zoning Ordinance) as a result of compliance with the landscaping provisions should not exceed ten percent (10%).

(1) Special administrative remedies. (a) Lots which front on more than one (1) street with the following special exception:

(i) All street frontages other than the primary street frontage may have a landscaped street yard with a minimum depth of four feet (4').

(2) In situations where the landscape requirements would result in the demolition of an existing building, a loss of more than ten percent (10%) or the gross required off-street parking for an existing development; or, a loss greater than fifteen percent (15%) of the lot area for development, the following administrative remedies may be applied:

(i) Reduce the required minimum landscaped area widths up to fifty percent (50%); and,

(ii) Reduce the tree planting requirements by up to twenty-five percent (25%).

(2) Administrative guidelines. (a) Where possible, reduction of landscaping requirements in one (1) area should be offset by an increase of landscaping requirements in other portions of the site.

(b) The first priority is to provide trees and shrubs along the street frontage.

(c) The second priority is to provide trees within portions of the parking lot that are highly visible from the street.

(d) A screen should always be provided as required by this Section. Where there are space limitations, reduce the landscape yard as necessary. If the planting area is less than five feet (5') in width, require a minimum six feet (6') tall wood or composite fence or masonry wall.

(3) Conflict with other articles in the zoning ordinance and existing zoning conditions. (a) Where any requirement of this section conflicts with the requirement of another article of the existing zoning conditions in the City of Collegedale Zoning Ordinance, the most restrictive requirement shall apply. (as added by Ord. #577, June 2003, and replaced by Ord. #742, April 2010, and Ord. #983, Sept. 2013)

14-706. Landscaped street yard. The landscaped street yard serves to provide an aesthetically pleasing transition from the public right-of-way to private property. This street yard also allows the motorist or pedestrian to see the commercial building's façade but not the parking lots, thus screening the parking areas from view. When a parking lot is located adjacent to a public right-of-way, a strip of landscaping helps shield projecting headlights that may impair the vision of passing motorists or pedestrians therefore creating a safer environment.



(1) Street yard options. The site plan for any non-residential or high density residential development - other than that exempt in § 14-702 exemptions - shall show a landscaped street yard along all public rights-of-way. The applicant may choose one or a combination of the four (4) options illustrated below:

NOTE: The following standards for trees should not be construed as mandating a continuous line of trees spaced in an equidistant fashion within the street yard.

- (a) Ten foot (10') street yard
  - (i) Minimum width:
    - (A) Ten feet (10')
  - (ii) Minimum number of trees required:
    - (A) One (1) Class 1 shade tree, and one (1) ornamental shade tree per thirty-five (35) linear feet of street frontage.
  - (iii) Minimum number of shrubs required:
    - (A) Twelve (12) shrubs per twenty-five (25) linear feet of street frontage. A minimum of fifty percent (50%) of shrubs required shall be evergreen.
- (b) Earth berm
  - (i) Minimum height:

- (A) Two and one-half feet (2 1/2') higher than the finished elevation of the parking lot.
- (ii) Minimum width:
  - (A) Three to one (3:1) slope (i.e. fifteen feet (15') in width to two and one half feet (2.5') in height)
- (iii) Minimum number of trees required:
  - (A) One (1) Class 1 shade tree and one (1) ornamental shade tree per thirty-five (35) linear feet of street frontage.
- (iv) Minimum number of shrubs:
  - (A) Five (5) shrubs per twenty-five (25) linear feet of street frontage. A minimum of fifty percent (50%) of the shrubs required shall be evergreen.
- (c) Six foot (6') street yard:
  - (i) Minimum width:
    - (A) Six feet (6') of landscaped street yard with three feet (3') of fall away from street, and out of the right-of-way.
  - (ii) Minimum number of trees:
    - (A) One (1) Class 1 shade tree and one (1) ornamental tree per thirty-five (35) linear feet of street frontage.
  - (iii) Minimum number of shrubs:
    - (A) Three (3) shrubs per twenty-five (25) linear feet of street frontage. A minimum of fifty percent (50%) of shrubs required shall be evergreen.
- (d) Twenty-five foot (25') street yard
  - (i) A landscaped street yard with existing woodlands maintained in twenty-five feet (25') strips along the street frontage.
  - (ii) Existing woodlands to be set aside shall have a minimum depth of twenty-five feet (25') as measured from the public street right-of-way.
  - (iii) Number of woodland trees (not including prohibited trees) having a minimum caliper of six inches (6") shall equal or exceed the minimum street planting ratio of one (1) Class 1 shade tree and one (1) ornamental tree per thirty-five feet (35') per linear feet;
  - (iv) No impervious surfaces are permitted within the protected woodlands area except for approved access points to the site; and,
  - (v) No cutting/filling activities or storage or materials/equipment are permitted within the protected woodlands.

(2) Massing. Massing is multiple rows of alternating plant materials with a combination of trees and shrubs. Massing is strongly encouraged. The maximum distance between massing is twenty-five feet (25'). Massing should be integrated into a bed or in a curb to ease maintenance.

(3) Sight distances. A sight distances at intersections and points of access must be maintained. No landscaping shall constitute a hazard to traffic, including but not limited to landscaping located within the required sight triangles of an intersection.

(4) Prohibition. Parking, merchandise display, signage and off-street loading are prohibited in the landscaped street yard.

(5) Exemptions/special situations. Where overhead power lines encroach into the street yard, smaller ornamental shade trees can be substituted for shade trees. See § 14-713 Plant installation specifications (ornamental shade trees). (as added by Ord. #577, June 2003, and replaced by Ord. #742, April 2010, and Ord. #983, Sept. 2013)

14-707. Groundcover. (1) Living material. Living materials, such as sodded grass, shall make up a minimum of eighty percent (80%) of the groundcover for the landscaped street yard. But, one hundred percent (100%) of living materials is encouraged.

(2) Mulch. Wood mulch or pine straw may make up twenty percent (20%) of the groundcover for the landscaped street yard. Weed barrier shall be required. Gravel, concrete, brick pavers or other pavement is not appropriate groundcover for the street yard.

(3) Right-of-way. The area between the property line and the sidewalk/curb, or edge of pavement is the right-of-way. A groundcover of fescue sod shall be used in the right-of-way. Mulch is prohibited. (as added by Ord. #577, June 2003, and replaced by Ord. #742, April 2010, and Ord. #983, Sept. 2013)

14-708. Landscape perimeter. Perimeter landscaping is a peripheral planting strip along rear and side lot lines that separates uses and/or zones. It is used to define parking areas, prevent two adjacent properties from becoming on large expanse of pavement, provide vegetation in densely developed areas, screen vehicular use areas from view of public streets and adjacent uses in accordance with the following standards, and enhance the appearance of individual properties.

(1) Requirement. The site plan for any non-residential, high density residential, industrial development, other than those exempt, shall show perimeter landscaping, in addition to the landscaped street yard required in § 14-706 Landscaped street yard.

(a) Width.

(i) A five foot (5') landscaped strip is required along the side and rear lot lines of a development.



(ii) The five (5) foot perimeter strip is required for each development regardless if one is already in place from an adjacent, developed lot.

(b) Minimum number of trees:

(i) One (1) tree per fifty (50) linear feet.

(c) Continuous visual screen. The planting strip shall contain a continuous hedge composed of a double staggered row of evergreen shrubs with a minimum planting height of thirty inches (30") and maximum center spacing of three feet (3').

(d) Groundcover. All perimeter landscaped areas not dedicated to preservation of existing vegetation shall be landscaped with groundcover.

(i) Living material. Living materials, such as sodded grass, shall make up a minimum of eighty percent (80%) of the groundcover for the landscaped perimeter. One hundred percent (100%) of living material is strongly encouraged.

(ii) Mulch. Wood mulch or pine straw may make up twenty percent (20%) of the groundcover for the landscaped perimeter. Gravel, concrete, brick pavers or other pavement is not an appropriate groundcover. Weed barrier shall be required.

(2) Vehicular access. The perimeter landscaping requirement does not preclude the need for vehicular access to be provided between lots.

(3) Pavement. No pavement may be located within five feet (5') of the property line on any lot unless it is included with an ingress/egress location. (as added by Ord. #577, June 2003, replaced by Ord. #742, April, 2010, amended by Ord. #752, October 2010, and replaced by Ord. #983, Sept. 2013)

14-709. Screening. Screening and buffering will be required to provide a transition between land uses and/or zones and protect the integrity of less-intensive uses from more intensive uses. It also provides a year-round visual obstruction and transition between incompatible land uses and/or zones by requiring a landscape yard of a specified minimum depth along the shared property line.



Example: Proper Screening of Commercial Building

(1) Procedure. Refer to the matrix below to determine any screening requirements for the proposed development. First, identify the type of zoning for the proposed development (along the left side of the matrix) and each adjoining property (along the top of the matrix). Second, find where the zoning of the proposed development and each adjoining property intersect on the matrix. If a screen is required, a capital letter will indicate the type of screen to be applied. A description of each screen type is provided in this Section.

NOTE: Adjacent land uses within the same zone may require additional screening (to be determined by the City of Collegedale).

<b>Table 14-709A Screening</b>						
		<b>Adjacent Property</b>				
<b>Proposed</b>		Industrial	Commercial	University	High Density Residential	Low Density Residential
	Industrial	X, D, E	C, E, D	B, E, D	A, E, D	A, E, D
	Commercial	C, E, D	X, D, E	B, E, D	B, E, D	B, E, D
	University	C, E, D	C, E, D	X, D, E	B, E, D	B, E, D
	High Density Residential	A, E, D	B, E, D	C, E, D	C, E, D	C, E, D
	Low Density Residential	A, E	B, E	C, E	C, E	C*, E
<b>Zoning Districts are not considered to be adjacent if separated by a right-of-way of at least fifty (50) feet in width. *Nothing in this provision shall require screening between individual single-family lots within a subdivision.</b>						
<b>X = No Screen Required</b>						

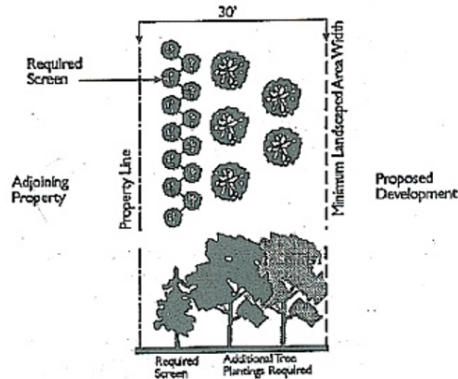
<b>Table 14-708B Zoning Districts*</b>	
<b>Use</b>	<b>Zone</b>
Industrial	I-1, MUBC
Commercial	C-1, C-2, C-3, MUTC and MUBC
University	U-1
High Density Residential	R-1-H, R-3 and MUTC
Low Density Residential	R-1-L, R-2 and AG
*When a mix of uses is involved the landscape shall be determined by the use.	

(2) Screening type standards. (a) Type A - Thirty feet (30') deep landscape yard planted with:

(i) Evergreen trees spaced a maximum of ten feet (10') on-center or two (2) staggered rows (spaced a maximum of seven feet (7') apart) of shrubs spaced a maximum of eight feet (8') on-center; and,

(ii) Two (2) rows of Class 1 shade trees spaced a maximum of thirty-five feet (35') on-center.

(iii) All plantings shall meet the installation and planting size requirements specified in § 14-713 Plant installation specifications.



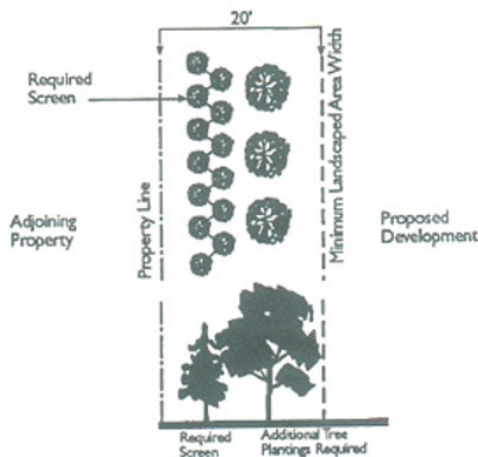
Example: Type A

(b) Type B - Twenty feet (20') deep landscape yard planted with:

(i) Evergreen trees spaced a maximum of ten feet (10') on-center or two (2) staggered rows (spaced a maximum of seven feet (7') apart) of shrubs space a maximum of eight feet (8') on-center; and,

(ii) One (1) row of Class 1 shade trees spaced a maximum of thirty-five feet (35') on-center.

(iii) All plantings shall meet the installation and planting size requirements specified in § 14-713 Plant installation specifications.



Example: Type B

(c) Type C - Ten feet (10') deep landscape yard planted with:

(i) Evergreen trees spaced a maximum of ten feet (10') on-center or two (2) staggered rows (spaced a maximum of seven feet (7') apart) of shrubs space a maximum of eight feet (8') on-center.

(ii) All plantings shall meet the installation and planting size requirements specified in § 14-513 Plant installation specifications.

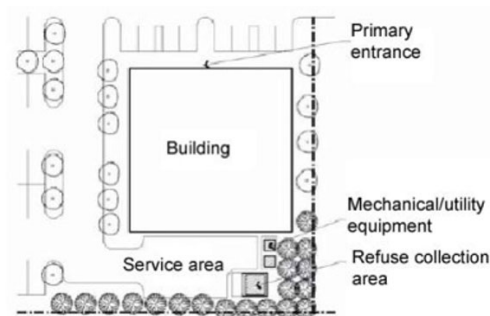
(d) Type D - Screening of dumpster to be screened as described below:

- (i) Screening shall be a minimum height of six feet(6:);
- (ii) All four (4) sides of the dumpster shall be screened;
- (iii) The screen should incorporate access to the dumpster by using a wood fence or other opaque device such as a gate. Chain link fencing is not allowed in this application.
- (iv) Screening materials can be any combination of wood, composite or masonry material.



Example: Properly Screened Dumpster

(e) Type E - Service areas, maintenance areas, equipment areas, outdoor storage (of materials, stock or equipment), loading docks, berths, or similar spaces must be screened from offsite views (as described in Type C or Type D). Building or ground mounted mechanical or electrical equipment (including but not limited to transformers, sprinkler control boxes, pump stations, sewer stations, backflow preventers, telephone risers or equipment cabinets, generators or similar devices, water meters, gas meters, electrical meters, air-conditioning or similar HVAC equipment) must also be screened from offsite views (as described in Type C or Type D).



Example: Service Area Screening



Example: Vegetative Screen around HVAC system

(f) Type F - Stormwater facilities are subject to the following conditions:

(i) No rip-rap, crushed stone, concrete or other impervious materials are exposed.

(ii) Trees and other living organic material can be planted along the stormwater facility as long as the plantings do not interfere with the intended use of the facility.

(iii) The use of a continuous visual screen consisting of a continuous hedge composed of a double staggered row of evergreen shrubs with a minimum planting height of thirty inches (30") and maximum center spacing of three feet (3'). (as added by Ord. #577, June 2003, and replaced by Ord. #742, April 2010, and Ord. #983, Sept. 2013)

14-710. Foundation planting. (1) Building foundation landscaping is required on lots containing non-residential (excluding industrial) and high density residential development. shrubs shall be placed around the facades facing rights-of-way, a minimum of three feet (3') from the building.

(2) Foundation plantings shall work in concert with transition yard plantings to frame important views, while visually softening long expanses of walls, particularly those lacking windows and other architectural details. Foundation plantings shall be compatible with the materials and the form of the proposed building(s).

(3) The minimum width of the area provided to accommodate foundation plantings is as follows:

(a) A minimum of a three foot (3') planting area adjacent to building walls having an eave height of up to twenty feet (20').

(b) A minimum of a six foot (6') planting area adjacent to building walls having an eave height of twenty feet (20') or more.

(4) Foundation plantings shall be installed across the entire length of facades facing rights-of-way, except where walkways and driveways are located.



Example: Foundation Planting

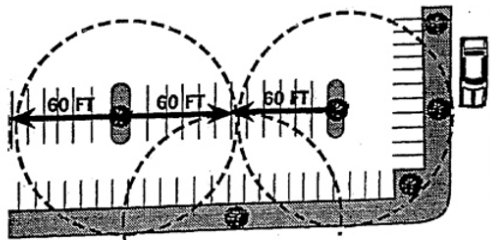


Example: Foundation Planting

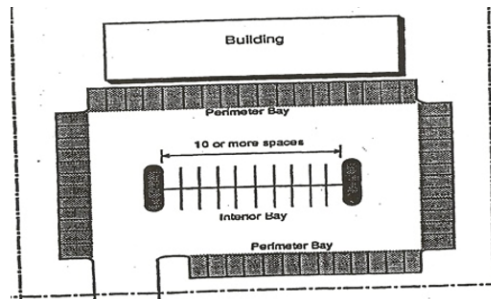
(as added by Ord. #577, June 2003, and replaced by Ord. #742, April 2010, and Ord. #983, Sept. 2013)

14-711. Parking lot requirements. The intent of this section is to break up the expanse of pavement, to provide shade, and to reduce glare from parked cars and loading docks.

(1) Design criteria. (a) Any part of a parking space can be no more than sixty feet (60') from a tree. Refer to diagram below:

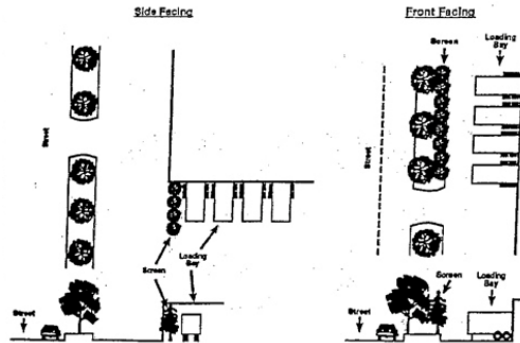


(b) Ends of all interior parking bays that contain a minimum of ten (10) contiguous parking spaces shall be bordered on both sides by a landscape island. Refer to diagram below:





(c) Ends of all perimeter parking bays shall be bordered by a landscaped peninsula. Refer to diagram below:



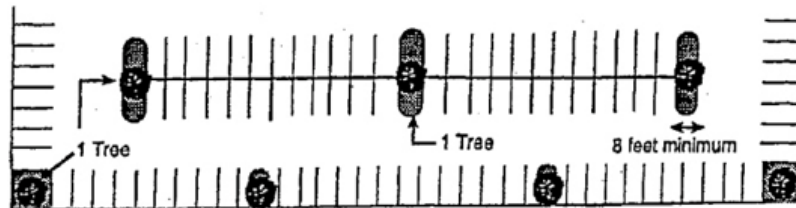
(d) Side and front-facing truck delivery stalls and loading bays shall be screened from the public right-of-way as shown below:

(e) The screening material for loading docks and delivery stalls shall consist of the following:

(f) One (1) row of evergreen shrubs spaced a maximum of five feet (5') on-center or a row of evergreen trees spaced a maximum of ten feet (10') on-center as specified in § 14-713 Plant installation specifications.

(2) Dimensions/planting criteria.

(a) Landscaped islands and peninsulas used to meet the landscape requirements:



(b) Shall have a minimum width of eight feet (8') and a minimum landscaped area of two hundred (200) square feet;

(c) Landscaped islands and peninsulas used to meet the landscaping requirements shall be planted with at least one (1) tree.

(d) The trees referred to in this parking section are Class 1 shade trees as specified in § 14-713 Plant installation specifications. In the special situations specified below, smaller ornamental shade trees may be substituted for Class 1 shade trees:

(i) An overhead obstacle such as a canopy or power lines limits the tree height:

(ii) The tree is located within twenty feet (20') of a building.

(e) All landscaped islands and peninsulas shall be bordered by a curb or a wheel stop.

(f) Groundcover. All interior parking lot landscaped areas not dedicated to preservation of existing vegetation shall be landscaped with groundcover. A weed barrier shall be required.

(i) Living material. Living materials, such as grass, shall make up a minimum of sixty percent (60%) of the groundcover for the interior parking lot landscaping. One hundred percent (100%) of living materials is strongly encouraged.

(ii) Non-living material. Non-living materials, such as wood mulch, pine straw, or decorative rock (three fourths inch (3/4") or smaller gravel in a natural color tone) may make up forty percent (40%) of the groundcover for the interior parking lot landscaping. A weed barrier shall be required. Brick pavers or other pavement is not appropriate non-living groundcover.

(3) Vehicular display areas. Applicants shall select one (1) of the following options for vehicular display areas:

(a) Compliance with standard. Comply with the interior parking lot landscaping requirements described in this section and the requirements in § 14-706 Landscaped street yard; or

(b) Increase street yard. In lieu of the interior parking lot landscaping requirements, increase the required street yard to fifteen feet (15') wide and install the number of trees required for the interior landscape requirements within the street yard.

(4) Wheel stops. Except as provided below, all landscape areas at the front line of off-street parking spaces must be protected from encroachment of intrusion of vehicles through the use of wheel stops or curbs.

(a) Minimum height. Wheel stops shall have a minimum height of six inches (6") above the finished grade of the parking area.

(b) Anchoring. Wheel stops shall be properly anchored and shall be continuously maintained in good condition by the property owner.

(c) Location. Wheel stops shall not be placed in location of anticipated pedestrian traffic.

(5) Screened backfill. Soil used in parking lot islands, driveway medians, and other areas internal to a vehicular use area shall be screened prior to deposition in planting areas. (as added by Ord. #577, June 2003, and replaced by Ord. #742, April 2010, and Ord. #983, Sept. 2013)

14-712. Utility easements. (1) Intent. To avoid damage to utility lines and landscape plantings, all trees and shrubs should be planted outside of existing and proposed utility easements.



(2) Policy. Any tree or shrub used to meet the requirements of this section shall not be located within proposed or existing utility easements unless it meets one (1) of the special exceptions as defined below.

(3) Special exceptions. Special exceptions include the following:

(a) Written permission has been obtained from the holder of the utility easement.

(b) Where overhead power lines cross an area required by the ordinance to be planted with shade trees, smaller ornamental trees may be substituted.

(c) If none of the special exceptions above apply, the following options shall be considered in order of priority:

(i) Priority 1. Plant the tree as close to the easement as possible.

(ii) Priority 2. For highly visible areas (street yard, parking lots in front) plant the tree in the same general area where it can be seen from the street or parking lot. (as added by Ord. #577, June 2003, and replaced by Ord. #742, April 2010, and Ord. #983, Sept. 2013)

14-713. Plant installation specifications. (1) Intent. All landscaping materials shall be installed according to accepted planting procedures of the landscape industry. Planting methods and the season of planting will optimize chances for long-term plant survival.

(2) Table 14-713A Plant Installation Specifications. (a) Class 1 shade trees. These trees are intended to be used to meet the tree planting requirements specified in § 14-706 Landscaped street yard, § 14-708 Landscape perimeter, § 14-711 Parking lot requirements, and § 14-715 Residential landscaping. All Class 1 shade trees shall be installed at a minimum caliper of two inches (2") as measured from two and one half feet (2 1/2') above grade level. Class 1 shade trees shall also have a minimum expected maturity height of at least thirty-five feet (35') and a minimum canopy spread of twenty feet (20'). Evergreen trees can be treated as Class 1 shade trees provided they meet the minimum maturity height and canopy spread criteria.

(b) Ornamental shade trees. These trees are intended to be used for planting under overhead utility lines only where they encroach into the property. All ornamental shade trees shall be installed at a minimum caliper of one and one-half inches (1 1/2") a measured at two and one-half feet (2 1/2') above grade level from the base of the tree. Ornamental shade trees shall have a maximum expected maturity height of twenty feet (20') and a minimum canopy spread of ten feet (10').

(c) Screening trees. These trees are intended to be used to meet the tree planting requirements of § 14-709 Screening. All screening trees

shall be installed at a minimum height of eight feet (8') and have a minimum expected mature spread of eight feet (8').

(d) Screening shrubs. These shrubs shall be installed at a minimum size of three (3) gallons and have an expected maturity height of at least eight feet (8') and a mature spread of at least five feet (5').

(e) Foundation and landscape shrubs. These shrubs shall be installed at a minimum size of three (3) gallons.

(f) Prohibited plants. These plants are prohibited from being used to meet these requirements due to problems with hardiness, maintenance or nuisance.

Table 14-713A					
Collegedale Plant Installation Specification (Common Name)					
Please see notes in Section 14-713					
Class 1 Shade Trees	Ornamental Shade Trees	Screening Trees	Screening Shrubs	Foundation and Landscape Plants	Prohibited Plants
American Hophornbeam	Amur Maple	American Arborvitae	Burford Holly	Azalea	Air-potato
American Hornbeam	Autumn Flowering Cherry	American Holly	Cherry Laurel	Barberry (all cultivars)	Amur Bush Honeysuckle
Bald Cypress	Bloodgood Japanese Maple	Atlas Cedar	Eastern Arborvitae	Burford Holly	Asian Bittersweet
Black Gum	Crapemyrtle	Canadian Hemlock	English Holly	Burning Bush	Autumn Olive
Chinese Pistache	Flowering Dogwood	Carolina Hemlock	English Laurel	Cherry Laurel	Bradford Pear
Dawn Redwood	Golden Raintree	Deodar Cedar	Leatherleaf Viburnum	Crape Mirtle	Bush Honeysuckle
European Hornbeam	Hedge Maple	Eastern Red Cedar	Nellie R. Stevens Holly	Creeping Juniper	Chinese Privet
Ginkgo (use male only)	Kousa Dogwood	Foster Holly	Wax Mirtle	Dwarf Burford Holly	Common Privet
Japanese Pogodatree	Okame Cherry	Green Giant Arborvitae		English Holly	Common Reed
Japanese Zelkova	Redbud	Leyland Cypress		Ever-Blooming Rose	English Ivy
Katsura Tree	Serviceberry	Sapphire Cypress		Forsythia	Eurasian Water Milfoil
Littleleaf Linden	Sweetbay Magnolia	Shortleaf Pine		Foster Holly	Garlic Mustard
Northern Red Oak	Thornless Cocksbur Hawthorne	Southern Magnolia		Fragrant Olive	January Jasmine
Overcup Oak	Trident Maple			Helleri Holly	Japanese Bamboo
Princeton American Elm	Winter King Hawthorne			Inkberry Holly	Japanese Grass
River Birch	Yoshino Cherry			Japanese Barberry	Japanese Honeysuckle
Scarlet Oak				Japanese Holly	Japanese Knotwood
Seedless Honey Locust				Leatherleaf Viburnum	Japanese Spiraea
Shumard Oak				Mop Cypress	Johnson Grass
Southern Sugar Maple				Nandina (all cultivars)	Kudzu
Sugar Maple				Otto Laurel	Mimosa
Swamp White Oak				Pfizer Juniper	Morrow's Bush Honeysuckle
Sweetgum				Shore Juniper	Mulberry
Water Oak				Skipp Laurel	Multiflora Rose
White Oak				Youpan Holly	Princess Tree
Willow Oak					Purple Loosetrife
Yellowwood					Sericea Lespedeza
					Siberian Elm
					Silver Maple
					Silver Poplar
					Tartarian Honeysuckle
					Thorny Olive
					Tree of Heaven
					Tropical Soda Apple
					Winter Creeper

(as added by Ord. #742, April 2010, and replaced by Ord. #983, Sept. 2013)

14-714. Landscape installation requirements. (1) Location. (a) Drainage. Trees shall not be placed where they interfere with sight triangles.

(b) Overhead utilities. Trees shall not be placed where they require frequent pruning in order to avoid interference with overhead utility lines. In such locations, small ornamental trees are required to be placed where allowed by the utility company.

(c) Buried utilities. Landscaping shall be installed at locations that avoid placement directly above buried utilities.

(d) Fire hydrants. Landscaping shall not be placed within six feet (6') of a fire hydrant.

(2) Minimum size. All plant material shall meet the requirements established by the American Association of Nurserymen publication "American Standard for Nursery Stock" (ANSI Z60.1 latest version). Immediately upon planting, trees shall meet the minimum requirements:

- (a) Class 1 shade trees - two and one-half (2 1/2") in caliper.
- (b) Ornamental trees - two inches (2") in caliper.
- (c) Evergreen trees - eight feet (8') in height.
- (d) Shrubs - twenty-four inches (24") in height and in a three (3) gallon pot, if not ball and wrapped in burlap.

(e) Species mix. When more than ten (10) trees are to be planted to meet the requirements of this ordinance, a mix of species shall be provided. The number of species to be planted shall vary according to the overall number of trees required to be planted. The minimum number of species to be planted is listed below. Species shall be planted in proportion to the required mix. This species mix shall not apply to areas of vegetation required to be preserved by law.

(i) Number of required trees: 11 - 20 trees = two (2) species (but no more than seventy percent (70%) of each)

(ii) Number of required trees: 21 - 30 = three (3) species (but no more than forty percent (40%) of each)

(iii) Number of required trees: 31 - 40 = four (4) species (but no more than forty percent (40%) of each)

(iv) Number of required trees: 41+ = five (5) species (but no more than forty percent (40%) of each) (as added by Ord. #577, June 2003, and replaced by Ord. #742, April 2010, and Ord. #983, Sept 2013)

14-715. Tree preservation credits. (1) Healthy trees. No tree preservation credits will be allowed for any dead tree, any tree in poor health or any tree subjected to grade alterations.

(2) Protection during construction. Trees for which credit is given shall be protected during construction from:

- (a) Mechanical injuries to root, trunk, and branches;
- (b) Injuries by chemical poisoning;
- (c) Injuries by excavation; and,
- (d) Injuries by paving.

(3) Credit options. If an applicant is preserving trees, the applicant may use the existing trees as credit either toward a reduction in parking requirements or in a reduction of the number of trees required, as described below and as approved by the City of Collegedale Planning Commission.

(4) Reduction of parking requirements. To allow an existing or new development to preserve trees within or adjacent to a parking lot, the number of required off-street parking spaces may be reduced as described below:

(a) Parking space reduction credits. (i) Total diameter of all preserved trees: 4 - 7.9 inches = one (1) parking space credited.

(ii) Total diameter of all preserved trees: 8 - 22.9 inches = two (2) parking spaces credited.

(iii) Total diameter of all preserved trees: 23 - 29.9 inches = three (3) parking spaces credited.

(iv) Total diameter of all preserved trees: 30+ inches = four (4) parking spaces credited

(b) Reduction of required trees. Preservation and protection of existing trees on the lot may be credited toward the tree planting requirements. Credit for preserved trees shall be permitted at the following rates:

(i) Diameter of preserved tree: 4 - 7.9 inches = one (1) shade tree.

(ii) Diameter of preserved trees: 8 - 22.9 inches = two (2) shade tree.

(iii) Diameter of preserved trees: 23 - 29.9 inches = three (3) shade tree.

(iv) Diameter of preserved trees: 30+ inches = four (4) parking shade tree. (as added by Ord. #577, June 2003, and replaced by Ord. #742, April 2010, and Ord. #983, Sept. 2013)

14-716. Stormwater credits. Reserved for future use. (as added by Ord. #742, April 2010, and replaced by Ord. #983, Sept. 2013)

14-717. Residential (R-1-H, R-1-L, R-2, and AG).



(1) This section applies only to low-density residential development as specified below.

(2) A minimum of two (2) Class 1 shade trees or four (4) ornamental trees as specified by § 14-713 Plant installation specifications (minimum size)

shall be planted in the front yard, or within ten feet (10') of front of residence in the side yard, for each new residential lot in the R-1-H, R-1-L, R-2, and AG zones. Zone R-3 for the purposes of this ordinance is considered to be a "Commercial" (high density residential) development and must comply with the sections on Commercial (high density) developments. Trees existing in the front lawn can be credited towards the landscaping requirements as per § 14-716 Tree preservation credits. The tree or trees shall be planted prior to being issued a certificate of occupancy. Screening requirements in § 14-709 Screening are required to be installed prior to being issued a certificate of occupancy. (Screening requirements met with shrubbery cannot be used to offset shrubbery requirements within this section.) Shrubs will be required at a rate of seven (7) per one thousand (1,000) heated square feet of a residential dwelling and will comply with all standards and planting requirements within this ordinance, and will be installed prior to being issued a certificate of occupancy. Lawn grass is required in all front yards and areas of property visible from road frontage, and required to be at a height of three inches (3") prior to being issued a certificate of occupancy. Whether the lawn is seeded and straw on it or sod is used the height of the grass must be a minimum of three inches (3") in height.

For example, prior to being issued a certificate of occupancy for a two thousand four hundred (2,400) square foot house the following must be done to meet the requirements of this ordinance:

- (a) A minimum of sixteen (16) - three (3) gallon shrubs must be planted;
- (b) The grass on the lawn must be at a minimum of three inches (3") in height;
- (c) Air conditioning equipment, electrical, gas, and water meters must be screened;
- (d) A minimum of two (2) Class 1 shade trees or four (4) ornamental trees must be planted.

(3) Exemptions. A property owner, builder or developer may request exemption from these requirements if the following conditions are present:

- (a) The lot is at least than two (2) acres in area, and;
- (b) The residence is constructed more than three hundred feet (300') from any public right-of-way; and
- (c) Natural tree cover is retained and maintained to an extent that screens the residence from public rights-of-way.
- (d) Residences located on lots greater than ten (10) acres and located over five hundred feet (500') from public rights-of-way. (as added by Ord. #742, April 2010, and replaced by Ord. #983, Sept. 2013)

14-718. Enforcement and maintenance. (1) Final occupancy permit. If the landscaping has not been installed and inspected for proper installation prior to receiving the certificate of occupancy, a temporary certificate of occupancy may be granted provided the following conditions are met:

- (a) Property owner posts a performance bond with the city finance department;
- (b) The amount of the bond or letter of credit shall be based on material and installation costs of the uninstalled landscape material, including a twenty-five percent (25%) contingency cost, as shown on the submitted landscape plan; and,
- (c) The cost of the landscaping shall be certified by a licensed landscape contractor.

After receiving the temporary certificate of occupancy, the remaining landscape material shall be installed within ninety (90) days from the date the certificate of occupancy is issued. The bond shall be called if the required landscaping has not been installed by the end of the ninety (90) day period and the funds will be applied to complete the landscaping work.

- (2) Maintenance. Landscape maintenance specifications are as follows:

- (a) The owner shall be responsible for the maintenance of all landscape areas not in the public right-of-way.

- (b) Unless otherwise specified by the city, owners shall be responsible for maintaining street trees planted adjacent to the site in conjunction with construction.

- (c) Homeowners associations are responsible for the maintenance of open lots, medians, street trees associated with the development.

- (d) Landscape areas shall be maintained in accordance with the approved landscape plan and shall present a healthy and orderly appearance free from refuse and debris.

- (e) All plants shown on an approved Landscape Plan used to meet a minimum requirement of this ordinance shall be replaced if they die, are seriously damaged, or a new timeline for a new landscape plan and new landscaping is installed.

- (3) Damage due to natural occurrence. (a) In the event that any vegetation or physical element functioning to meet the standards of this subsection is severely damaged due to an unusual weather occurrence or natural catastrophe, or other natural occurrence such as damage by wild animals, the owner or developer will be required to replant if the landscape standards are no longer met.

- (b) The owner shall have one growing season to replace or replant.

- (4) Protection during operations. The owner or developer shall take actions to protect trees and landscape from unnecessary damages during all facility and site maintenance operations. Plants shall be maintained in a way that does not obstruct sight distances or roadway and drive intersections, obstruct traffic signs or devices, and/or interfere with the use of sidewalks or pedestrian trails.

(5) Maintain shape. All required trees shall be maintained in their characteristic natural shape, and shall not be severely pruned, sheared, topped, or shaped as shrubs. Trees required by this chapter that have been severely pruned, sheared, topped, or shaped as shrubs that no longer meet their intended function shall be considered as damaged vegetation in need of replacement, and shall be replaced within one (1) growing season.



Example: Severe pruning or shaping interferes with the tree's intended purpose as a screening element, and may require the tree to be replaced.

(as added by Ord. #983, Sept. 2013)

14-720. Appeals. Any person aggrieved by the administration, interpretation, or enforcement of this section may appeal to the board of zoning appeals within sixty (60) days of the City of Collegedale's decision. Decisions of the board of zoning appeals may be appealed to a court of competent jurisdiction. Should any court of competent jurisdiction find any portion of this Section to be unlawful or unconstitutional, such finding shall not affect this Section as a whole or any portion of it not found invalid.

Unique factors relating to topography, soil and vegetation conditions, space limitations, or uses of neighboring property may make landscaping impossible, ineffective or unnecessary. Section 14-705 Hardships provides administrative remedies and guidelines where the strict application of the City of Collegedale Landscape Ordinance would create an undue hardship. If the administrative remedies and guidelines as described within § 14-705 Hardships do not relieve the undue hardship, requests for use of alternative landscaping schemes or variances are justified only when one or more of the following conditions apply:

(1) Topography, soil, vegetation, or other site conditions are such that full compliance is impossible, impractical, or ineffective. If the request is a variance in the screening requirements, a letter shall be required from the owners of the abutting property to acquiesce with the variance or alternative landscaping scheme.

(2) Due to a change of use of an existing site, the required screening requirements (§ 14-706 Landscaped street yard) are larger than can be provided as required by the provisions of this ordinance.

(3) The site involves space limitations or unusually shaped parcels.

(4) When the strict application of this landscape ordinance would impact the safety of the general public. A variance application must be completed and a one hundred dollar (\$100.00) fee submitted to the City of Collegedale Codes and Inspection Department. (as added by Ord. #983, Sept. 2013)



## CHAPTER 8

MULTI-MODAL TRANSPORTATION STANDARDS

## SECTION

- 14-801. Adoption of standards
- 14-802. Exceptions.
- 14-803. Typical sections.
- 14-804. Violation unlawful.

14-801. Adoption of standards. All new construction shall be completed in accordance with the attached details based upon the Tennessee Department of Transportation classification of each road unless specified otherwise in § 14-802 below. All development or redevelopment along an existing roadway shall be responsible for improving the existing roadway from the centerline toward the site in accordance with the standard specified in § 14-803 for the length of the property. These typical sections will be applied to all public right-of-ways within the City of Collegedale. (as added by Ord. #744, June 2010, as replaced by Ord. #1039, Aug. 2017)

14-802. Exceptions. Notwithstanding the standards specified in § 14-803 or otherwise in this chapter, the following streets shall be constructed to the collector standard:

- (1) Old Lee Hwy.
- (2) Standifer Gap.
- (3) University Drive.
- (4) Tucker Road.
- (5) Little Debbie Parkway will be initially constructed to the collector standard. Upon the recommendation of the city manager, the commission may consider a transition to the arterial standard in the medium term or as usage warrants. (as added by Ord. #1039, Aug. 2017)

14-803. Typical sections. The typical sections appearing in Appendix A to this ordinance will be applied to all public right-of-ways within the City of Collegedale. The drawings and words of Appendix A<sup>1</sup> are incorporated herein by reference as if fully set forth in this ordinance. (as added by Ord. #1039, Aug. 2017)

14-804. Violation unlawful. A violation of this ordinance is unlawful, and any person in violation of the same shall be subject to a fifty dollar (\$50.00) fine. Every day the violation exists shall be deemed a separate violation, for

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<sup>1</sup> Appendix A is of record in the office of the recorder.

which a fifty dollar (\$50.00) fine may be assessed. The city also reserves the right to take action a court of competent jurisdiction to enforce compliance this chapter, and may take any other action consistent with state law in order to enforce these provisions. (as added by Ord. #1039, Aug. 2017)