

ORDINANCE 156

AN ORDINANCE TO REVISE "THE MUNICIPAL ZONING ORDINANCE OF ASHLAND CITY, TENNESSEE" AS OFFICIALLY ADOPTED ON DECEMBER 21, 1971, AS SUBSEQUENTLY AMENDED.

WHEREAS, the following revisions were recommended by the Ashland City Planning Commission, and

WHEREAS, a public hearing was conducted in this regard before the City Council of Ashland City, Tennessee on Aug. 13, 1976 and

NOW, THEREFORE, BE IT ORDAINED, that after the effective date of the adoption of this amendment as cited below, the Zoning Ordinance of Ashland City, Tennessee will hereby be revised to read as follows:

ARTICLE XII - BOARD OF ZONING APPEALS

SECTION 4 - Powers

SUBSECTION - 4.2 - Special Exceptions. To hear and decide applications for special exceptions upon which the Board is specifically authorized as cited within this ordinance to pass.

- (1) Procedure for authorizing special exceptions. The following procedure is established to provide guidance for review of a proposed use as a conditional use or special exception by the Board of Zoning Appeals. The procedure shall be the same whether review is required under Section 13-7-206 of the Tennessee Code Annotated, or by this ordinance.

(a) Application:

An application shall be filed with the Board of Zoning Appeals for review. Said application shall show the location and intended uses of the site, the names of the property owners, and existing land uses within two hundred (200) feet of the subject property. Any such application shall be presented to the office of the building inspector no later than twenty (20) days prior to the next regularly scheduled meeting of the board of zoning appeals, if said request is to be officially entertained by the board of zoning appeals at its next regularly scheduled meeting.

(b) General Requirements: A conditional use permit (a special exception) shall be granted provided the Board finds that it:

- (i) Is so designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected.
- (ii) Will not adversely affect other property in the area in which it is located.
- (iii) Is within the provision of "Special Exceptions" as set forth in this ordinance.
- (iv) Conforms to all applicable provisions of this ordinance for the district in which it is to be located as well as the provisions cited within this Section, and is necessary for public convenience in the location in question.

(c) Criteria for Review:

Prior to the issuance of a special exception, the Board shall make written findings certifying compliance with the general rules governing special exceptions, and that satisfactory provisions and arrangements have been made concerning all the following where applicable:

- (i) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
- (ii) Off-street parking and loading areas where required, with particular attention to the factors cited in item 1. above.
- (iii) Refuse and service areas, with particular reference to the items in (i) and (ii) above.
- (iv) Utilities, with reference to location, availability, and compatibility.
- (v) Screening and buffering with reference to type, dimensions and character.

- (vi) Signs, if any, and proposed exterior lighting with reference to glare, traffic, and safety, as well as compatibility and harmony with properties in the district.
- (vii) Required yards and other open space requirements.
- (viii) General compatibility with adjacent properties and other property in the district with respect to the effect of the special exception on the property values of adjoining properties, as well as its effect on such properties in terms of noise, odor, glare, vibrations, traffic generation, and economics.

AND BE IT FURTHER ORDAINED, that these provisions shall take effect and shall supersede any prior provisions so entitled from and after its passage on second and final reading, the public welfare requiring it.

DULY PASSED ON FIRST READING this 9<sup>th</sup> day of July, 1996.  
DULY PASSED ON SECOND READING this 13<sup>th</sup> day of August, 1996.

CITY OF ASHLAND CITY, TENNESSEE

BY: Mayor Bruce Jenkins

ATTEST:

BY: Demetra O'Neal