

ORDINANCE NO. 186

AN ORDINANCE TO AMEND "THE ZONING ORDINANCE OF ASHLAND CITY, TENNESSEE" AS OFFICIALLY ADOPTED ON 6-9, 1998.

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

WHEREAS, a public hearing was conducted in this regard before the Mayor and City Council of the Town of Ashland City, Tennessee on 6-9, 1998; and

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE TOWN OF ASHLAND CITY, TENNESSEE: that "The Zoning Ordinance of Ashland City, Tennessee" is hereby amended to read as follows:

ARTICLE IV - Supplementary Provisions Applying to Specific Districts.

4.210. Minimum Design Standards for Transmission and Communication Towers and Stations. It is the intent of this Section to avoid potential damage to property caused by Towers and Telecommunications Facilities by ensuring such structures are soundly and carefully designed, constructed, modified, and maintained, while ensuring such Towers are compatible with the surrounding land uses. The purpose of this Section is also to promote and encourage shared use/collocation of such towers and Antenna Support Structures as a primary option, rather than the construction of single-use Towers.

Section 4.210.1 Standards for Telephone, Telegraph, and Communications Transmitter Stations and Towers. All transmitter stations, including towers and operating equipment located within Ashland City shall adhere to the following standards:

- (a) All towers with a height of one hundred fifty (150) feet (from base to top) or more shall be constructed in accordance with Electronic Industries Association ("EIA") standard 222E-1996 utilizing a wind rating of ninety miles per hour (90 MPH) plus ice loading for Ashland City, Tennessee. Each application for a building permit shall be accompanied by a certification by a professional engineer licensed in the State of Tennessee and competent in such design.
- (b) All towers shall be set back from all property lines and leasehold lines a distance that is equal to:
 - 1) for a guyed tower, fifty percent (50%) of its maximum height, and

2) for a self supporting tower, one hundred percent (100%) of its maximum height.

(c) **Fencing.** The entire site in either fee-simple ownership or leasehold procurement containing such tower and equipment shall be enclosed with a fence no shorter than six (6) feet in height. Access gates will be locked at all times when the site is not occupied.

(d) **Screening.** Where the tower site abuts or is contiguous to any Residential District, there shall be provided a continuous, solid screening, and it shall be of such plant materials as will provide a reasonable year-round evergreen screening. Screening, as required herein, shall be not less than four (4) feet in height at the time of planting, and shall be permanently maintained by the leaseholder or owner of the subject property. (See definition of planted buffer strip).

Section 4.210.2 Application Requirements. An application to develop a Transmission and Communications Tower shall include as minimum the following:

1. All site plan information cited in Section 3.120 of this Ordinance, which is deemed applicable by the Planning Commission.
2. A "Determination of No Hazard" from the Federal Aviation Administration, as well as all required Federal Communications Commission permit information.
3. Documentation that any applicable leasehold is no less than 50 years in duration.
4. The names, addresses, and telephone numbers of all owners of other Communications/Transmission Towers or Support Structures within a one-half (1/2) mile radius of the proposed new Tower site, including city-owned property.
5. An affidavit attesting to the fact that the project applicant made diligent, but unsuccessful, efforts to install or collocate the project applicant's Telecommunications Facilities on city-owned Towers or useable Antenna Support Structures located within a one-half (1/2) mile radius of the proposed Tower site.

- 6. An affidavit attesting to the fact that the project applicant made diligent, but unsuccessful, efforts to install or collocate the project applicant's Telecommunications Facilities on Towers of useable Antenna Support Structures owned by other persons located within a one-half (1/2) mile radius of the proposed Tower site.
- 7. WRITTEN TECHNICAL EVIDENCE FROM AN ENGINEER(S) THAT THE PROPOSED TOWER OR TELECOMMUNICATIONS FACILITIES CANNOT BE INSTALLED OR COLLOCATED ON ANOTHER PERSON'S TOWER OR USEABLE ANTENNA SUPPORT STRUCTURES OWNED BY OTHER PERSONS LOCATED WITHIN ONE-HALF (1/2) MILE RADIUS OF THE PROPOSED TOWER SITE.

BE IT FURTHER ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE TOWN OF ASHLAND CITY, TENNESSEE that this Ordinance shall become effective from and after its passage, the public welfare requiring it.

PASSED FIRST READING

12th day of May, 1998.

PASSED SECOND READING

9th day of June, 1998.

Mary Grey Jenkins

 Mayor

ATTEST:

PROVER

 City Recorder

PROVER

7.130. Interpretation. Whenever the conditions of this ordinance require more restrictive standards than are required in or under any other statute, the requirements of this ordinance shall govern. Whenever the conditions of any other statute require more restrictive standards than are required by this ordinance, the conditions of such statute shall govern. Moreover, whenever there is a conflict between any portion(s) of this ordinance, that portion(s) containing the more restrictive requirements shall govern.

7.140. Effective date. This ordinance shall take effect and be in force from and after the date of its adoption, the public welfare demanding it.

Certified by the Ashland City Municipal Planning Commission.

2-10-98
Date

Jenny Brack
Chairman, Ashland City Municipal Planning Commission

Approved and adopted by the Mayor and City Council of the Town of Ashland City.

2-10-98
Date

Mary Grey Jenkins
Mayor, Ashland City, Tennessee

ATTEST:

Demetrius O'Neal
City Recorder

7.130. Interpretation. Whenever the conditions of this ordinance require more restrictive standards than are required in or under any other statute, the requirements of this ordinance shall govern. Whenever the conditions of any other statute require more restrictive standards than are required by this ordinance, the conditions of such statute shall govern. Moreover, whenever there is a conflict between any portion(s) of this ordinance, that portion(s) containing the more restrictive requirements shall govern.

7.140. Effective date. This ordinance shall take effect and be in force from and after the date of its adoption, the public welfare demanding it.

Certified by the Ashland City Municipal Planning Commission.

2/19/98 Penelope H. Bracke
Date Chairman, Ashland City Municipal Planning Commission

Approved and adopted by the Mayor and City Council of the Town of Ashland City.

2-10-98 Mary Lynn Jenkins
Date Mayor, Ashland City, Tennessee

ATTEST:

Demetra O'Neal
City Recorder

7.130. Interpretation. Whenever the conditions of this ordinance require more restrictive standards than are required in or under any other statute, the requirements of this ordinance shall govern. Whenever the conditions of any other statute require more restrictive standards than are required by this ordinance, the conditions of such statute shall govern. Moreover, whenever there is a conflict between any portion(s) of this ordinance, that portion(s) containing the more restrictive requirements shall govern.

7.140. Effective date. This ordinance shall take effect and be in force from and after the date of its adoption, the public welfare demanding it.

Certified by the Ashland City Municipal Planning Commission.

2/19/98 *Emilene H. Brooks*
Date Chairman, Ashland City Municipal Planning Commission

Approved and adopted by the Mayor and City Council of the Town of Ashland City.

2-10-98 *Mary Lee Jenkins*
Date Mayor, Ashland City, Tennessee

ATTEST:

Demetra O'Neal
City Recorder

HP OfficeJet
Personal Printer/Fax/Copier

Fax Log Report for
Town of Ashland City

Feb-26-98 04:09 PM

<u>Identification</u>	<u>Result</u>	<u>Pages</u>	<u>Type</u>	<u>Date</u>	<u>Time</u>	<u>Duration</u>	<u>Diagnostic</u>
5321896	OK	01	Sent	Feb-26	04:09P	00:00:44	002185230020

1.30 2.8