

ORDINANCE # 468

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWN OF ASHLAND CITY, BY REPLACING THE DEFINITION OF DWELLING AND DELETING THE WORDS TRIPLEX AND QUADRUPLEX FROM REQUIREMENTS FOR OFFSTREET PARKING IN ASHLAND CITY, TENNESSEE.

WHEREAS, the City Council of the Town of Ashland City, Tennessee wishes to modify the definition of duplex and multi-family dwelling and eliminate the unused terms triplex and quadruplex from the definition section of the zoning ordinance, and;

WHEREAS, the terms triplex and quadruplex should be deleted from the requirements for off-street parking, and;

WHEREAS, the Ashland City Planning Commission has reviewed and discussed this proposed amendment and voted to recommend its passage to the City Council.

NOW, THEREFORE, BE IT ORDAINED AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ASHLAND CITY, TENNESSEE, AS FOLLOWS:

SECTION 1. That the Municipal Zoning Ordinance for Ashland City, Tennessee, be and the same is hereby amended by deleting in its entirety Section 2.020 Definitions, Dwelling and replacing with a new definition as follows:

DWELLING: A building or part thereof used as a habitation under one of the following categories:

- a. Single detached dwelling means a building and detached dwelling and accessories thereto principally used, designed, or adapted for use by a single family.
- b. Duplex dwelling means *two units designed for use by two families located on the same tract (zone lot)*.
- c. Apartment dwelling means a building and accessories thereto principally used, designed, or adapted for use as occupancy by three (3) or more families each of which has separate living quarters.
- d. Rooming house means a building and accessories thereto principally used, designed, or adapted to provide living accommodations for not more than six (6) occupants, containing owner-provided cooking and dining facilities. (See semi-transient habitation definition).
- e. Boarding house means a building and accessories thereto principally used, designed, or adapted to provide living accommodations for not more than six (6) occupants and having common cooking and dining facilities. (See semi-transient habitation definition). Townhouse means a residential structure containing three or more single nondetached dwelling units separated by common vertical walls.
- f. Condominium means an apartment building or townhouse, containing three (3) or more dwelling units being under or intended for separate ownership, in which individual living accommodations are provided for each family. Within the context of this ordinance, all condominiums are planned development projects (see Section 5.060, herein).

- g. Multi-family dwelling means *a building containing three or more dwelling units. The term includes cooperative apartments, condominiums and the like.* For the purposes of these regulations, regardless of how rental units are equipped, any multi-family dwelling in which units are available for rent partly on a monthly basis and partly for a shorter period of time, but with more than thirty (30) percent of the living units under the same ownership or management on the same zone lot being occupied on a less-than-monthly basis, shall be considered a semi-transient residential activity. If over thirty (30) percent of such multi-family units under the same management or ownership are occupied on a biweekly basis or less, they shall be considered as transient lodging activity. (See definition of transient habitation).
- h. Prefabricated or modular dwelling means a single detached dwelling constructed primarily off-site, designed to be transported on a flatbed truck or trailer in more than one section, provided that it is installed on a permanently enclosed concrete or masonry foundation, with sewer and water connections designed for permanent connection to municipal or sanitary or on-site systems, and permanently connected to such systems. Such structures are distinguished from mobile homes as described elsewhere in this ordinance when they have a minimum gross floor of six hundred (600) square feet and have no horizontal exterior dimensions of less than fifteen (15) feet not including porches or carports. Moreover, to qualify as a prefabricated or modular dwelling, such dwelling must have a pitched roof. When such a structure meets the above stated requirements it shall qualify as a single detached dwelling.
- i. Mobile home or trailer means a vehicular portable structure designed and constructed in accordance with the requirements of American National Standards Institute Standard A119.1, built on a chassis, designed for year around occupancy and designed to have no foundation other than wheels, jacks, or skirting, and which is capable of being moved, towed, or transported by another vehicle.
- j. Zero lot line dwelling means a building or structure containing two units (duplex), each unit being located on its own zone lot in separate ownership.
- k. Upper story residential dwelling means the area of a building above the ground floor which is principally used, designed, or adapted for use by one or more households each of which has separate living quarters.
- l. Retirement or assisted living dwelling means an apartment or townhouse containing individual or separate living quarters containing individual cooking and dining facilities, as well as a common cooking facility. Maintenance and nursing services are typically provided on-site, although those who reside on premises are not convalescent.

SECTION 2. That the Municipal Zoning Ordinance for Ashland City, Tennessee, be and the same is hereby amended by deleting in its entirety Section 4.10.1. Off-street parking requirements, 4.10.1. Number of Parking Spaces Required, 4.10.1.A. Residential Activities, 4.10.1.A.(1) Permanent 4.10.1.A.(1)(b) Triplex, Quadruplex and Multi-Family Dwelling (Three (3) or more) and replacing as follows:

Multi-Family Dwelling (Three (3) or more):

Two (2) spaces per dwelling unit.

SECTION 3. If any section, clause, provision, or portion of this Ordinance is for any reason declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Ordinance which is not itself invalid or unconstitutional.

SECTION 4. In case of conflict between this Ordinance or any part thereof and the whole or part of any existing or future Ordinance of the Town of Ashland City, the most restrictive shall in all cases apply.

SECTION 5. This ordinance shall be effective 20 days after its final passage, the public welfare requiring it. The Ashland City Municipal-Regional Planning Commission recommended this to council on April 3, 2017.

1st reading 4-11-17

Public hearing 5-9-17

2nd reading 5-9-17


Rick Johnson, Mayor


Kellie Reed, City Recorder