

ORDINANCE #2008-16

AN ORDINANCE TO AMEND THE LA VERGNE ZONING ORDINANCE REGARDING SITE PLAN AND PARKING REQUIREMENTS.

WHEREAS, the following changes have been reviewed and recommended by the La Vergne Planning Commission; and,

WHEREAS, a public hearing thereon has been held as required as required by law; and,

WHEREAS, the following changes have been approved by the La Vergne Board of Mayor and Aldermen.

NOW THEREFORE BE IT ORDAINED BY THE LA VERGNE BOARD OF MAYOR AND ALDERMEN:

That **The Zoning Ordinance of La Vergne, Tennessee**, is hereby amended to read as follows:

SECTION I. AMEND: ARTICLE III, Section 3.110 (A) by adding a new subsection 20 and 21, to read as follows:

20. Sidewalks as detailed in Article 4, Section 4-108 of the La Vergne Subdivision Regulations. Six (6) foot sidewalks or a fee-in-lieu are required on site plans.
21. Public right-of-way, if dedication is needed, must be recorded at the Rutherford County Register of Deeds no more than ten (10) business days after La Vergne Planning Commission approval. A copy of the recorded document must be provided to the City Planner. Building permits and/or certificates of occupancy will be withheld until the copy of the recorded document is provided to the City. Failure to provide this can result in nullification of site plan approval.

SECTION II. AMEND: ARTICLE IV, Section 4.010, (Parking Ratio Table)(RESIDENTIAL Household Living), to read as follows:

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| RESIDENTIAL Household Living | | |
| | All Dwellings | 3 spaces per dwelling unit - A garage may be used to account for a maximum of one space. Driveways must be constructed to allow simultaneous alternate ingress and egress for two vehicles (See Figures 4.1-4.3). The minimum width of a residential driveway shall be 14 feet. |
| <p><u>Figure 4.1</u> <u>Figure 4.2</u> <u>Figure 4.3</u></p> <p style="text-align: center;"><u>Above are some examples of simultaneous alternate ingress and egress.</u></p> | | |

SECTION III. AMEND: ARTICLE IV, Section 4.010, (Parking Ratio Table)(INDUSTRIAL AND MANUFACTURING), to read as follows:

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| INDUSTRIAL AND MANUFACTURING | | |
| | Industrial, Wholesale, Warehouses, and Storage Uses | One (1) space per 400 sq. ft. of floor area for office and/or sales, plus one (1) space for every 4,000 sq. ft. of gross floor area. |
| | Manufacturing | One (1) space for every 1.5 employees on the main shift. |

SECTION IV. AMEND: ARTICLE IV, Section 4.010, (Parking Ratio Table)(RETAIL)(Motor Vehicle Sales), to read as follows:

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| | Motor Vehicle Sales | One (1) space for each 3,000 sq. ft. of outdoor display/sales area, plus One (1) space for each 750 sq. ft. of interior display/sales area, plus parking requirements for auto service establishment (if applicable) |
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SECTION V. AMEND: ARTICLE IV, Section 4.010, (Parking Ratio Table)(NON-RETAIL COMMERCIAL)(Auto Service Establishments), to read as follows:

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| | Auto Service Establishments | One (1) space for each 150 sq. ft. of gross floor area. |
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SECTION VI. AMEND: ARTICLE IV, Section 4.010, (Parking Ratio Table)(NON-RETAIL COMMERCIAL)(Auto Service Establishments), to read as follows:

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| | Restaurants - Sit-down *outdoor dining area included (with or without drive through windows) | One (1) space for each 150 sq. ft. of gross floor area, or one (1) for every 2.5 seats, whichever is greater. |
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SECTION VII. AMEND: ARTICLE IV, Section 4.010, (Parking Ratio Table)(RECREATION)(Tennis Centers), to read as follows:

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| | Tennis Centers | One (1) space for each 500 sq. ft. of gross floor area, plus one (1) space for each court |
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SECTION VIII. AMEND: ARTICLE IV, Section 4.010, (Parking Ratio Table)(RECREATION) by adding two new sections titled Amusement Parks and Stadium / Amphitheatre, to read as follows:

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| | Amusement Parks | One (1) space for every 200 sq. ft. of gross floor area, plus fifteen (15) spaces for every acre. |
| | Stadium / Amphitheatre | One (1) space for every four (4) seats. |

SECTION IX. AMEND: ARTICLE IV, Section 4.010, (Parking Ratio Table)(EDUCATIONAL)(Day Care Centers, Day Nurseries, Nursery Schools and Similar Uses), to read as follows:

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| | Day Care Centers, Day Nurseries, Nursery Schools and similar uses | One (1) space for every 250 square feet, plus an area designated for children drop-off and pick-up that must be approved by the Codes and Planning Departments |
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SECTION X. AMEND: ARTICLE IV, Section 4.015, by adding a new Section G, to read as follows:

- G. Drive aisles should be a minimum of 12 feet in width, unless the Planning Commission finds there are special circumstances in which less than 12 feet is acceptable, at which point they can determine what width is acceptable. If the Planning Commission determines that 12 foot lanes shall be the minimum, and the applicant wishes to proceed with the design using narrower lanes, a variance must be obtained by the applicant.


SECTION XI Each section, subsection, paragraph, sentence and clause of this ordinance is hereby declared to be separable and severable. The validity of any section, subsection, paragraph, sentence or clause shall not be effected by the invalidity of any other portion of this ordinance, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted herefrom.

SECTION XII. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION XIII. This Ordinance shall take effect immediately upon final passage, the public welfare requiring it.

LEGAL STATUS PROVISIONS

Approved and certified by the Planning Commission:




Chairman

8/20/08
Date

Public Hearing Held: 10/07/08

Approved by the Mayor and Board of Aldermen:




Ronnie Erwin, Mayor

9/02/08
1st Reading

10/07/08
2nd Reading

ATTEST:



Bruce E. Richardson, City Recorder

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